

7 27 1952

Georgia

8376

## Lynch Victim's Kin Succumbs

One of the worst lynchings in the history of America was recalled this week with the death in Chicago last Saturday of Mrs. Dora Malcolm at the age of 90. She was the grandmother of Roger Malcolm, one of the four persons, two women and two men, who were lynched by a mob in Monroe, Ga., July 25, 1906. The other three were George Dorsey, his wife, ~~and~~, and Dorothy Malcolm.

Funeral services for Mrs. Malcolm were held Monday from the William Wray funeral home. Burial was in Restville cemetery.

27a 1952

General

8381

# Dixie Bombing Called 'New' Style Lynchings

By JOHN LEFLORE

MONTGOMERY, Ala.—A leading white Southern church woman

said here last Tuesday that a new trend of racial violence—dynamiting or bombing—has replaced the old lynching technique "and is spreading all over the United States."

Mrs. M. E. Tilley of Atlanta told the annual meeting of the Alabama division of the Southern Regional Council—an interracial group composed largely of educators and businessmen—that the pattern of such violence has changed in the South from lynchings to bombings.<sup>3-1-52</sup>

Mrs. Tilley, who served on President Truman's civil rights committee, said "We church people of the South know that we have another job to do—to strike back at this kind of violence at every opportunity."<sup>27a</sup>

## She Raps Local Courts

The Atlanta matron heads the regional council's "Fellowship of the Concerned," a group of southern church women organized as part of the organization's program for promoting better racial relations.

She said that members of her group "have found that communities are often unaware of what happens in their courtrooms. They found that judges and juries too often do what they think the community wants regardless of the justice or injustice."

Mrs. Tilley said approximately 500 members of the fellowship have signed pledges to sit in court rooms and observe cases under trial to see if any injustice is being meted out to anyone, adding that the courts will be improved "when you let the jury, the sheriff and the judge know that decent people are behind them!"

27d 1952

General

8378

## ~~La. B'Nai B'Rith Leader Says Bombs Have Replaced 'Mob'~~

Norfolk, Va. (ANP).—Lynching is decreasing in the South, but a more violent form of murder against Negroes and other minority groups has been substituted in the South, and is becoming prevalent in the North and West, it was declared here last week by Alexander F. Miller, southern director of the Anti-Defamation League of B'Nai B'rith with headquarters in Atlanta, Ga. He said:

"Dynamite has taken the place of lynchings, floggings and other media of terrorizing minority groups in the South."

He added that the dynamite blasting in Birmingham, Dallas, Atlanta, Nashville and Miami during the last two years were probably caused by resentment over Negroes moving into areas once entirely populated by whites.

Miller spoke at Beth El Center under the joint sponsorship of the Norfolk Jewish Community Council and the Arnold Gamsey Lodge of B'Nai B'rith.

*3-22-52*

8377

# Southern Lynching Almost Disappears

By WAYNE GARD

**ONE FAVORITE FIGURE** in Red propaganda is the Dixie planter. He is pictured with a lynching rope and a six-shooter in his belt. Almost every morning, the gullible are told, he and his neighbors string up a few innocent Negroes before breakfast. This smear has been repeated so often that millions in Europe and Asia are sure it is true.

Yet any check of the records shows that the Russian libel is almost wholly fiction. Last year America had only one lynching. That was the unsolved killing of a Florida Negro, reportedly by four masked white men. Only two persons, one white and one Negro, were lynched in 1950. Three all Negroes met death in this manner in 1949. There were two lynchings in 1948 and only one in 1947.

Thus mob killing has almost reached the vanishing point. The decline has come not from any federal or state "from-state" and local action, but from aroused public opinion. Last year three threatened lynchings were prevented by brave and courageous local action—one each in Alabama, North Carolina and Virginia.

ONE MUST GO BACK nearly half a century to find lynching as a practice at all common. Dependable statistics begin only about 1880. For the five years after that, lynchings averaged 151 a year. Later averages were 106 a year for 1890-94, 140 a year for 1895-99 and 104 a year for 1900-04. Since then, the number has been much smaller and has declined steadily.

The term, lynching, goes back much farther. It comes from the name of Col. Charles Lynch, a Virginia Quaker, born in 1736. During the Revolution, he overcame his scruples enough to take a commission in the militia. The lashings he prescribed, for those who sold horses to the British—penalties then confirmed by the Virginia Legislature—came to be called Lynch law.

Despite the hangfire by vigilance committees in the frontier, most of the lynchings have been in the South. For the half century beginning in 1882, Mississippi led the states with 561 recorded lynchings. Georgia had 370 and Texas 346. Although Texas had two lynching bees in 1935, the last sensational one in this state came in 1930. In that year an infuriated mob burned the courthouse at Sherman for the sake of killing a prisoner.

FOR NEARLY TWO DECADES bills to penalize lynching have been knocking about in Congress. The Roosevelt and Truman administrations have used them, along with other so-called civil rights proposals, as weapons of wooing Negro votes. The political aspect of the bills is apparent from their titles: "An act to prohibit lynchings."

The bills in Congress have been defeated as a result of opposition from southern members. The opponents viewed threatened federal action as an invasion of the rights and responsibilities of the states. Meanwhile, some of the southern states have taken action. Possibly as a result of the threat from Washington, they have strengthened their laws against lynching and tightened enforcement.

The Texas law against lynching was passed in July, 1949. Its enactment followed appeals from the Texas Council of Church Women and other groups. They asked for a state law "to show that the South can take care of its own problems." Gov. Beauford H. Jester strongly recommended the measure and later pledged vigorous enforcement. The law has yet to meet its initial test.

8379

## Bombs Replace Rope To ~~January 1952~~ p. 2 Maintain White Supremacy

MIAAMI, Fla. (AP)—With the year scarcely two months old, 1952 promises to produce bumper crops of violence designed to maintain white supremacy.

Dynamite as a means of direct action to enforce "white supremacy" has replaced old "Judge Lynch" as an arbiter to keep Negroes in their place. Since the first of this year there have been at least seven dynamiting incidents other acts of terrorism throughout the country.

Commenting on this new technique for maintaining the status quo, a columnist for the St. Louis Post Dispatch said in part:

"New terror tactics serve the last-and-dying stand of the diehards who have resisted changes in the social and political pattern about by increasing racialization of the South and by a relatively more liberal attitude adopted by the younger citizens, many of whom fought overseas for democracy."

This writer listed the following incidents of terror which have occurred since the first of the year:

"A Negro social club was dynamited in Rome, Ga., on New Year's Day. Three men who were arrested said that they deemed the club to be a 'public nuisance' and that they wanted to scare the Negroes into closing it. Nine sticks of dynamite were found under a railroad engine there the same day after an alteration over Negro employees."

"During the week end of Jan. 5 stones were thrown into Negro homes and churches at Milledgeville, Georgia. Masked raiders, operating in defiance of law, robbed Negro night clubs. Stickers proclaiming that 'The Klans Rides Again' were stuck on store windows. Six youth were arrested."

Six days later, at Oxford, N. C., a dynamite explosion damaged the home of a Negro farmer. He had built his house on the site of a former white church.

A night club in Dallas, Texas, was dynamited January 12. About 13 bombings were reported in that city last summer."

The change to dynamite from lynching as a means of keeping Negroes in their place has been increasing during the past two

years. The year 1951 had its share of bombings. Among the victims were Negro housing projects in Miami, Florida; Dallas, Texas; and the home of an NAACP executive secretary, Harry Moore, in Miami, Fla., which resulted in the death of Mr. and Mrs. Moore.

The South was not the only area of violence during 1951. In Cicero, Ill., a riot resulted when Negro, Harvey E. Clark, Jr., attempted to move his family into the all-white suburb of Chicago.

The latest scene of bombings is the current racial flare-up over the admittance of Negroes to previously all-white schools in Cairo, Ill., a city in southern Illinois which borders on the Mason-Dixon line.

In the city the home of Dr. U. P. Bass was bombed and the home of Dr. J. C. Wallace was fire-gutted.

## Tuskegee says 'no lynching' in 1952

**TUSKEGEE**—For the first time in 70 years of record keeping, Tuskegee Institute's Dept. of Records and Research has "no lynchings, as such, to report for 1952," it was announced today.

By the "criteria" used by the Institute in tabulating lynchings, not one person's life was taken by that means last year, the Institute stated.

One case of a "Lynching Prevented" was listed, involving relatives of a 16-year-old school girl in Columbia, S. C., who talked 50 men out of storming the county jail and lynching William Felder, 28, for killing a girl after attempting to rape her. All principals were Negroes.

The Tuskegee report contained reservations, however. Stemming undue enthusiasm over the no-lynch report, it said soberly, "It appears important to the welfare of our country to state that while

lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined. Indeed, there appear to be too many cases of unnecessary brutality and killings by officers of the law or persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombings, and the like."

p. 3

The Institute noted bombings in 13 states and 27 cities and towns of the U. S., and warned against this form of terrorism as having an "incalculable . . . potential for destruction of life and property." It made note of the 1951 bomb deaths of Mr. and Mrs. Harry T. Moore, of Miami, Fla., and observed that occupants of other bombed homes had been "more fortunate", but pointed out that, "Only chance has kept human casualties low, although property destruction has been high."

"As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people," the report stated, continuing: Jewish institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of the bombers, have not been exempt from blasts.

Bombing is confined to no section of the country. Recently it has become more prevalent in the South.

"For the four years, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions: 49 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers."

"Bomb states" have been: California, Alabama, Florida, Georgia, Louisiana, Missouri, Illinois, Ohio, North Carolina, Pennsylvania, Tennessee, Texas, and Virginia.

*West*  
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8383

**'Today's Lynch Mob'**

**Blamed for Attitude**

I have no personal desire to see Mr. Jarvinen punished, if his statement is merely the product of a diseased mind under the influence of alcohol. If there is any more to the story, I hope that the Government will get to the very bottom of it. But my real interest is my hope that this fantastic case will make clear to the American people what I know from long and bitter experience: Namely, that there are both amateurs and professionals at work in our country blasting the reputation of innocent people and undermining our Democratic values. They are today's lynch mob, operating on a grand scale supported and inspired by highly placed officials.

P.A. 29

It seems to me that the aspect of this incident that is of much greater importance to the Nation than the belated State Department apology to me is that it discloses how close we are to the destruction of the basic principles of democracy and to government-by-informer. As this incident shows, American citizens are now vulnerable to being deprived of their freedom and liberty merely because they have been denounced, and without reference to the validity of the denunciation.

In Communist and Fascist countries, it is common for people to denounce their neighbors. They do this because they no longer believe in the Fifth Commandment, but only in the rule of brass knuckles; and because, like Mr. Jarvinen, they want to curry favor with the all-powerful authorities. In those countries, denunciation is followed automatically by a knock at the door, a grilling like those to which I have been subjected, and usually the concentration camp.

27d(2) 1952

White Press

8380

JACKSONVILLE, Fla., Jan. 20  
(UPI).—Norman Mailer, "Walter White and under the bomb has replaced the lyncher's rope" in Dixie, and politicians have helped start the new era of hate and violence.

White, executive secretary of the National Association for the Advancement of Colored People, told delegates to the Negro convention here they should not be "intimidated by the terrorists and communists for equal rights."

Every year since 1913, Tuskegee Institute of Alabama has issued a year-end report to the nation on the subject of lynching. The new report by that famous institution founded in 1881 by Booker T. Washington is extremely encouraging. For the first time in the 70-year period of record keeping, no lynchings were reported for 1952.

*Lynching Star*  
This is indeed an excellent example of progress being made in the United States toward understanding, tolerance and justice among members of different races. Considerably more significant, however, is the table prepared by Tuskegee showing the number of lynchings by decades.

From 1913 to 1922 there were 597 lynchings, from 1923 to 1932 there were 175, from 1933 to 1942 the number dropped to 103, and from 1943 to 1952 there were only 21. The last of the four decades, in other words, contributed only 2.3 per cent of the total of lynchings during the 40-year period.

*Mon. - 5 P.M.*  
The report points out, in a note concerning, that although lynchings as a form of extra-legal punishment has declined, other forms of violence and lawlessness have not shown a similar decline. Bombing of homes and buildings, unnecessary brutality by police officers and floggings are cited as examples of unwarranted and illegal activities which continue to plague persons, particularly in areas where racial feeling is highest. The pattern of violence varies, but the famous Negro educational institution believes that progress can be made toward reducing brutality and bombings just as the black spot of lynching has been removed—at least temporarily—from the American scene.

The 40th annual report of Tuskegee Institute makes good reading for those who place their hopes of progress in social understanding, the emancipation of closed minds and on the inherent decency of most individuals. Lynching, one of the most horrible and destructive of all crimes—it destroys the soul of the perpetrator as well as the body of the victim—has been eradicated for at least one year. But the way toward more full understanding among men still is a long one stretching into the future.

8382

# Year Free Of Lynching *Tuskegee Herald* In Annual Survey By L. *Tuskegee, Ala.*

For the first time in 70 years—since records of lynchings have been compiled—the nation had no reported lynchings during 1952, it was shown in the annual year-end report of the Department of Records and Research of Tuskegee Institute. But, said the report signed by President F. D. Patterson, bombings and other forms of violence have shown no decline.

The report also set out that one<sup>49</sup> of these were directed against case of attempted lynching was Negroes; 10 against whites and frustrated during the past year, public institutions; at least eight citing a case at Columbia, S.C., against Jewish synagogues, where ~~activities of~~ <sup>30-52</sup> schools and community centers old Negro school girl had to talk and one "against a Catholic just to keep about 50 men from church."

storming the county jail and lynching William Felder, who allegedly shot the young student to death after a rape attempt.

Turning to other forms of violence during the past year, the report continued:

In a report as brief as this, it is not possible to present data in all these patterns of violence, but we think it pertinent to focus attention upon at least one of them, the use of the bomb.

"During the past few years, these activities have been directed against homes, schools, religious and other community institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

"Bombing is confined to no section of the country. Recently, it has become more prevalent in the South.

"For the four years, 1948-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions;

8384

# Virginian Suffers Death, No Whites Pay For Rape

RICHMOND, Va. — (UPI)—A final effort to save the life of Albert Jackson, 24, of Charlottesville, Va., convicted for the rape of a 40-year-old white woman, failed over the weekend. Jackson was electrocuted Monday morning at the State penitentiary.

In his last plea on behalf of his client, Spottswood W. Robinson 3rd, of Richmond, asserted that records show that since 1906, several hundred colored men have been executed for alleged rape of white women in Virginia, but no white man has ever suffered the death penalty for this crime in the State.

A GROUP identified as the committee to save Jackson employed Howard Carwile, white Richmond attorney to make a final effort on behalf of the defendant. Carwile asked Governor Battle to grant a 30-day stay of execution to allow time for a mental examination of the condemned man.

Governor Battle last Friday refused to commute the sentence of Jackson. Counsel headed by Robinson, appeared before Governor Battle on Aug. 18 and urged commutation of the sentence. Robinson said the evidence against Jackson failed to convince a reasonable person of his guilt beyond a reasonable doubt.

JACKSON WAS originally scheduled to die in the electric chair here on June 30, but a bolt of lightning caused a short circuit, temporarily putting the chair out of operation, and Jackson was given a reprieve.

In answer to the plea of Robinson and Gregory H. Swanson, of Charlottesville, who asked that Jackson's sentence be commuted to life imprisonment,

## Virginia

Individuals so expressing their opinions were present at the trial or have examined the evidence in this case."

JACKSON WAS convicted of raping the 40-year-old white Charlottesville waitress on the night of May 5, 1951. He was convicted July 6, 1951, and sentenced to death in the electric chair.

At the time of the offense, Jackson had been out of prison on parole only a short time.

GOVERNOR BATTLE also noted that the State Supreme Court also had upheld the conviction obtained in Charlottesville Corporation Court.

While Jackson and his attorneys had contended that the woman engaged in sexual intercourse with Jackson for pay, Governor Battle quoted the statement of the high court that the evidence "demonstrates beyond preadventure that this was no bartering transaction, but a rape by force and violence."

The Civil Rights Congress, which was active in the fight for commutation of Jackson's sentence, in a circular letter, urging telephone calls and telegrams to Governor Battle in behalf of Jackson, said the arresting policeman testified at the trial, as he came on the scene, the alleged woman victim was asking Jackson: "Where is my \$5?"

GOVERNOR BATTLE also noted that the high court found that "this verdict was amply supported by both oral and physical evidence."

Robinson and Swanson had submitted to Governor Battle at the time they made their pleas for commutation, a number of affidavits from citizens of Charlottesville, attesting their belief in Jackson's innocence.

Of the affidavits, Governor Battle told the two attorneys, "I am sure you recognize that they are mere expressions of opinion and do not indicate the

*Mass*  
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Alabama

8385

## Court Refuses Action In Pell City Conviction

MONTGOMERY, Jan. 24 (AP) — The State Supreme Court refused today to interfere with the conviction of a Pell City man for the night-rider slaying of a 39-year-old rolling store operator.

In effect, the tribunal said Charlie Carlisle Jr., 24-year-old textile worker, must serve a five-year manslaughter sentence.

Carlisle and four others were indicted after Charlie Hurst was shot to death in front of his home near Pell City, Jan. 22, 1950.

Hurst died from shots fired by an unmasked band that tried to drag him into an automobile. His 13-year-old son was wounded but recovered.

Members of Hurst's family quoted him as saying "it looks like the Ku Kluxers are after me" as he walked out of his house.

A Talladega furniture dealer, Clyde Luker, was also tried for the killing and was acquitted.

The others indicted in the case have not yet been tried. They are the Rev. Alvin Horn, Talladega minister and former Klan organizer; C. M. Hunter, Pell City mattress manufacturer, and Albert Wilson, Lincoln farmer.

# Rape Victim Tells Court Of Attack Here *Advertisement* Reeves Case Opens; Woman Says Negro Beat Her Brutally

A 96-pound, young Montgomery housewife yesterday testified that Jeremiah Reeves Jr., 17-year-old Negro accused of rape and robbery, first raped and then beat her unconscious July 28 at her home on Cleveland Avenue.

The woman, in a tense moment of the opening day of the Reeves trial in Circuit Court, said softly, "He beat my head against the floor of my bedroom at least 13 times. At least I counted 13 many before I passed out."

Obviously nervous and disturbed, the woman told the court step by step of the attack. Once, she was handed a cup of water by a court official.

The trial started at noon after hearings on motions filed by defense attorney John N. McGee Jr., and Circuit Solicitor William Thetford.

A main argument hammered at the jury by McGee was that Reeves allegedly was picked up by city police after the fifth of the six attacks for which the Negro is under indictment.

At that time, McGee argued, "None of the victims identified Reeves as the attacker."

## Shown Confession

Also, the defense attorney brought out that complaining witnesses were shown a copy of a confession signed by Reeves saying that he committed the crimes before he was identified.

"This gave the identifying witness a pre-conceived opinion before seeing the defendant," the attorney said.

"Police," he added, "are overzealous because of criticism directed against the police department and because of bad publicity."

Prior to the trial, McGee challenged the jury list on grounds of newspaper reporters were barred from jury duty in Montgomery County.

It developed, however, that one Negro was on the panel. He was O. L. Campbell, a cafe owner, who was struck.

Special Judge James J. Carter overruled McGee's motion to dismiss the jurors and start over with a new panel. He also denied his motion for a continuance so that two absent witnesses could be rounded up.

McGee was granted a hearing in the absence of the jurors early in the trial when he attempted to show a witness to tell whether Negroes are barred from juries in Montgomery County.

The defendant was questioned "unmercifully" by officers for "raping two white women, attempting to rape three others and robbing a sixth." He was called to trial on the rape and robbery complaints, all three of which carry a death penalty.

## Held Incommunicado

He also claimed that Reeves was held incommunicado at Kilby Prison for three days after his arrest and placed in a cell next to the electric chair.

Testimony from the mother of Jones, Phillip Sellers, William Watson and Robert L. Bell, Jack Page and Fred L. Wilkinson.

The state rested its case about 5 p.m. after hearing testimony from physicians, police officers and other witnesses regarding the rape of the Montgomery housewife.

The defense called character witnesses including neighbors, a minister and the defendant's parents.

Testimony for the defense revolved around the question of Reeves' sanity. Witnesses testified that Reeves "had never been considered 'right' by acquaintances." Reeves previously had entered a plea of not guilty by reason of insanity.

In the afternoon, a young salesman told of giving a ride to a Negro whom he identified as Reeves.

He said he picked up the Negro at National and Cleveland and dropped him at Fairview and Cleveland.

The salesman said the Negro was running at the time he gave him the ride. He added that the time was about 1 p.m. July 28, which was approximately a few minutes before the attack.

## Press Barred

The defense attorney changed his mind about wanting the press to report the trial. At the opening of the trial he objected because

Special Judge James A. Carter sobbed as he was led from the courtroom. His parents, who were in the courtroom, stared straight ahead and expressed no visible emotion.

Both reporters and spectators asked for the death penalty. The mother ducked her head on her chest and cried as the jury foreman announced the sentence.

The Presiding Judge Eugene Carter later removed himself from the bench after being subpoenaed as appropriate punishment." He said

that the defendant had confessed to the crimes "under mental strain."

Reeves is under indictments charging him with raping two white women, attempting to rape three others and robbing a sixth. He was called to trial on the rape and robbery complaints, all three of which carry a death penalty.

The 17-year-old Negro currently is being tried on the latest rape committed last July 28.

Jurors selected to hear the trial are John K. Cameron, Eugene Dickey, William L. Flurry, Joseph E. Graham, Carroll J. Griggs, John Robert Grover, Thomas M.

Testimony from the mother of Jones, Phillip Sellers, William Watson and Robert L. Bell, Jack Page and Fred L. Wilkinson.

Defense attorney McGee first on two motions for a mistrial. Before the state's defense gave their summary, McGee demanded that one of the jurors is a reserve Montgomery policeman, who allegedly aided in a search for the rapist.

"This reserve police force was organized for the explicit purpose of finding this alleged rapist," McGee asserted.

McGee claimed a juror is still on active duty in the Reeves case and should be disqualified because he is "biased and prejudiced." Judge Carter denied the motion as he did last night.

## Asked For Mistrial

McGee previously asked for a mistrial, claiming the court was prejudiced against the defendant. He cited a remark made by the judge from the bench which he said inferred that Reeves voluntarily admitted committing rape.

The complaining witness calmly told her story Friday of the rape and beating she suffered July 28 at the hands of a Negro whom she identified as Reeves.

She positively identified Reeves as the man who attacked her, then dragged her across the floor and beat her head against the floor "at least 13 times before I passed out."

She told of sitting on the arm of a chair in her bedroom while dressing when she looked into a mirror and saw the reflection of a Negro.

She ordered him out, she testified, but he grabbed her by the

throat and threatened her as she screamed.

When she saw Reeves in police custody, she continued, police asked him if he knew her.

"He answered that he remembered me from my home on Cleveland Avenue," the woman testified.

Under cross examination by McGee however, she admitted she identified Reeves only after reading a copy of the confessor which she was told Reeves made

Also, Reeves was not placed in a line-up when she identified him, testimony showed. She was permitted to observe the Negro through a hidden viewer, she said.

McGee contended this action gave the witness a preconceived notion that Reeves was the attacker. He was satisfied with the sincerity of the woman, but she was deliberately led into believing Reeves was the man who raped her, McGee claimed.

Solicitor William F. Thetford introduced Maxwell AFB physicians who had examined the victim. They told of finding bruises and lacerations on her head, cheeks, throat and hips, and a damaged left eye.

The physicians said the woman had been raped.

## Picked Up Negro

A salesman told the court that about 1 p.m. the day of the rape he picked up a Negro identified as Reeves as the youth was running towards Cleveland and National Streets.

Reeves, who testified Friday night, repudiated six confessions which police say he signed shortly after his arrest on Nov. 10.

He signed them, he said, because "they told me that was the only way I could keep out of the electric chair."

Reeves, mustache entered into the legal battle. The young housewife said she did not remember whether or not her assailant had a mustache.

The defense attempted to prove that Reeves had never shaved his mustache.

Solicitor Thetford accused the defense of "criticizing the judge, the law enforcement of Montgomery, the solicitor and of criticizing the jury."

Reeves also has been charged with another rape, three attempted rapes, and a robbery, all of white women. The rape and robbery charges carry the death sentence.

Jurors hearing the case were John K. Cameron, Eugene Dickey, William L. Flurry, Joseph E. Graham, Carroll J. Griggs, John

Grover, Thomas M. Jones, Phillip Sellers, William Watson, Robert L. Bell, Jack Page and Fred L. Wilkinson.

# Negro Faces Three Charges Here Tomorrow

## Special Juror List Is Called In Rape And Robbery Case

### By JAMES LANHAM

The case of Jeremiah Reeves Jr., accused rapist and robber, goes to trial tomorrow.

Reeves faces two charges of rape and one charge of robbery in connection with the molestation of six white women here over a period of 16 months.

In the first case, Reeves was arrested in connection with severely beating and attempting to rape a woman Nov. 10.

Four hours after he was arrested and admitted the beating before his deputies. The next day, he made a confession saying he raped two women, robbed another and attempted to rape two more.

A special session of the grand jury was called by Circuit Judge Eugene Carter. The jurist told the grand jury he had the second time in his career the grand jury had been called in of recess to hear a case.

Reeves was held in Kilby Prison until the date of his arraignment, Nov. 15. He was indicted on all six counts of the charges, but will be tried on only three Wednesday. The 17-year-old Negro is in the county jail since arraignment.

John N. McGee Jr., Montgomery attorney will defend Reeves.

Circuit Solicitor William F. Thetford will present the state's case.

Conviction on any of the three charges brought against Reeves could possibly carry the death penalty.

A list of 780 Montgomerians to be called to special jury duty in the case was released by Circuit Court Clerk John Mathews yesterday. The jurors are:

J. D. Adams, 10 Herron St.; E. Auerbach, 2061 Myrtlewood Dr.; Robert L. Bell, 2041 Bullard St.; Culver R. Broach, 2017 Carter Hill Rd.; J. T. Brooks, Rt. 1, Montgomery; William E. Chalkley, Ferry Hill Road; Robert D. Eiland, 100 Speigle; Edward Dilmer, 1909 St. Charles Ave.; Lewis P. Goodwin, 1024 Allendale Rd.; Thomas Green, 819 Plum St.;

St.; William M. Hart, 1324 S. Perry St.; Rayburn D. Holle, 2153 Woodley Rd.; Malcolm B. Horrell, 520 Clayton St.; Homer Johns, Wares Ferry Road; Joseph D. Jolley, 1319 Magnolia; Claude A. Berney Jodes, Moorland Road; Charles Kelly, The Prado; McMillan Lane, 1826 S. Hull St.; John H. Merrill, 2123 St. Charles St.;

Thomas F. Murphy, 2059 Cleveland Ave.; Al Meyers, First National Bank; Jack Page, 106 Glenmore Rd.; S. W. Romaine, Brewer Road, Rt. 2, Montgomery; John P. Shaffer Jr., 1261 Magnolia St.

Eddie Nash Struthers, 20 Harmon St.; George W. Thompson Jr., Grady; Fred L. Wilkinson, 637 April St.; Richard M. White, 1487 Watson Ave.

Copies of the indictments have been delivered to all prospective jurymen, except six, Matthews said.

A list of the jurymen has been delivered to Reeves.

8387

~~Boys Appeal On  
Boy's Rape Case~~

MONTGOMERY, Ala. — An all-white circuit court jury here required only thirty-eight minutes Saturday after a four-day trial to convict a 17-year-old youth for the rape of a white woman, with the penalty fixed as death in the electric chair.

The young ~~boy~~ <sup>boy</sup> drummer had formerly been a school student, indicted on counts of rape, robbery and attempted ~~rape~~ <sup>rape</sup> to Montgomery white women, sobbed as he was led from the court room.

Special Judge James J. Carter postponed actual sentencing. His decision will go to the state supreme court for review under Alabama's automatic appeal statute.

The complaining witness, a white woman, testified that she was raped and brutally beaten by Reeves last July. However, she admitted under cross examination that she did not pick the youth from a police line-up.

*Drummer Denies Rape Charge*

## Son Gets Chair, 'Mom' in Tears

MONTGOMERY, Ala. — An all-white Montgomery County Circuit Court jury, after just thirty-eight minutes deliberation, convicted a seventeen-year-old Negro jazz drummer, last week, of raping and beating a young white housewife on July 28 and fixed his punishment as death in the electric chair.

The defendant, Jeremiah Reeves, cried openly as he was led from the courtroom. He faces other trials on another charge of rape, three charges of attempted rape and one charge of robbery, all allegedly committed against white women.

Reeves' parents remained solemn as Solicitor William F. Thetford asked for the death penalty as "the only appropriate punishment for this youth to protect our community, our wives and our daughters from such attacks," but Mrs. Reeves dropped her head and sobbed uncontrollably as the jury foreman pronounced the sentence.

*27e(2)*  
SPECIAL JUDGE James J. Carter passed sentence Dec. 3, but under Alabama's automatic statute, the verdict must be reviewed by the State Supreme Court before young Reeves can be put to death.

Defense Atty. John N. McGee Jr. who twice offered motions for a mistrial, planned to file a motion for a retrial.

A remark made by Judge Carter from the bench drew Attorney McGee's first offer for a mistrial. He claimed the jurist's statement gave the impression young Reeves voluntarily admitted committing rape.

A RESERVE Montgomery policeman, serving on the jury, who allegedly aided in the search for the rapist, drew McGee's second offer for a mistrial. The attorney claimed the juror was "biased and prejudiced."

Judge Carter denied both motions.

The young housewife testified that Reeves entered her home, grabbed her by the throat, beat

her head against the floor "at least thirteen times before I passed out" and then raped her.

The woman "positively" identified Reeves, but admitted under cross examination by McGee that she named the youth after having read a copy of the confession which she was told by police he had made.

\* \* \*

A SALESMAN told the court that he had picked up Reeves on the day of the assault running toward Cleveland and National Streets. The victim lives on Cleveland Street.

Reeves, in his testimony, repudiated six confessions he had given police covering the crimes he is charged with, stating that he signed them shortly after his arrest on Nov. 10 "because the officers told me it was the only way I could keep out of the electric chair."

Reeves pleaded "not guilty" by reason of insanity, but Dr. Philip S. Bazar, Montgomery psychiatrist, testified that he had examined the youth and found him to be sane and responsible for his actions.



## Will Of Scottsboro Boy Leaves Estate

To Three Sisters, Ala.

DETROIT-The will of Haywood Patterson, one of the famous "Scottsboro Boys," was filed for probate last week before Recorder's Judge Thomas C. Murphy. He named his sister, Miss Iselle Patterson, executrix. Patterson bequeathed his personal property, amounting to upwards of \$250, to his three sisters, Iselle Patterson, Mabel Patterson, and Mrs. Louise Jackson, all of Detroit.

Patterson left no real estate. The will directs that his funeral expenses and debts be paid. *27c(2)*

Patterson was sentenced to Jackson, Mich. prison Oct. 11, 1931, on a manslaughter charge. The sentence carried six to life years. He died April 22.

## Negro Boy Gets \$100 In Capture Of Reeves

About \$100 has been collected as a reward to a 10-year-old Negro boy who provided the police with the tip that trapped Jeremiah Reeves Jr., Negro rapist. Sheriff George Mosley said yesterday. *Cadwallader*

The collection, which is to be used to buy clothes, and "maybe a bicycle" as Christmas presents for the boy, was launched earlier this week by Mosley.

All of the money has come from individuals, most of whom have given one dollar, Mosley said.

Reeves was arrested by police as a result of the boy identifying the taxi and driver who picked up the rapist after his attack on a 19-year-old white housemaid last July. According to the sheriff, the boy lives with his grandmother.

8389

## Accused Rapist Enters Plea Of Innocence At Arraignment

A small, wiry Negro boy pleaded "innocent and innocent by reason of insanity" yesterday when arraigned on three charges of rape and robbery of white women here.

Conviction under any of the charges would mean death in the electric chair for Jeremiah Reeves, 17.

He was indicted Friday on six counts of rape, attempted rape, and robbery.

Reeves was captured last week after a 16-month manhunt for the Negro who has held considerable fear in the Cleveland, Avenue and Capitol Heights sections of the city.

The trial is scheduled in Montgomery Circuit Court Wednesday, Nov. 26, before Judge Eugene W. Carter. 11-16-32

It probably will be closed to the public if general precedent in rape cases is followed.

Reeves, who, Sheriff George Mosley says, had admitted attacks on six white women over the last 16 months, appeared in court yesterday wearing a white cloth prison jacket, dungarees, and loafers with a imitation diamond ring flashing in the light glare.

He was hurried into the Court House, guarded closely by a half-dozen armed sheriff's deputies. 17 P. 13

They had to pass through a long line of bystanders waiting to buy their automobile licenses.

The Negro smoked and chewed gum while waiting for the judge's appearance.

He turned several times to look at the section of Negroes seated in the rear of the court room and once motioned a "hello" to two young Negroes in the room.

Among the 16 Negroes were his parents, eight men and six women.

John McGee, who is defensive attorney for Reeves, argued with Circuit Solicitor William K. Thetford in the arraignment.

McGee told the Negro when he was being arraigned: "Don't say a thing, understand, don't say a thing." 11-16-52

Then Thetford asked Judge Carter to tell McGee "to stay quiet while this man is being arraigned."

Tempers flared for a minute between the two attorneys and Judge Carter called for "order in the court."

The tenseness in the court house continued while Judge Carter was drawing the jury list. Spectators seemed very con-



**JEREMIAH REEVES**

## Convicted Rapist Parole Is Criticized

BIRMINGHAM, Nov. 17. (P—)

Circuit Solicitor Emmett Perry today sharply criticized the State Pardon Parole Board for paroling a convicted rapist who served seven years of a 20-year sentence.

Perry referred to the parole of Frank Hollifield, 39, Birmingham man who was convicted here in 1945 of raping an aunt at her home. He was paroled recently by the state board. P. 3

The solicitor said he and Judge Robert J. Wheeler, who presided at Hollifield's trial, wrote the board Aug. 21 after they had notified the convicted man would be considered for parole.

Opposed Hollifield's release. McGee told the Negro when he was being arraigned: "Don't say a thing, understand, don't say a thing." 11-16-52

Then Thetford asked Judge Carter to tell McGee "to stay quiet while this man is being arraigned."

Tempers flared for a minute between the two attorneys and Judge Carter called for "order in the court."

The tenseness in the court house continued while Judge Carter was drawing the jury list. Spectators seemed very con-

## Negro Youth Admits Five Attacks Here Reeves Is Charged With Six Crimes; Grand Jury Called

A 17-year-old Negro yesterday was formally charged with six counts of assault against white women here within the last 16 months.

The charges included one robbery, two rapes, and three cases of assault with intent to rape.

The accused youth, Jeremiah Reeves Jr., was apprehended Monday less than four hours after a Montgomery woman was brutally beaten in her apartment.

The woman said she attacked attempted to rape her.

Two of the victims have identified Reeves as the attacker, Sheriff G. A. Mosley said.

Each of the attacks occurred

"I am pretty well fed up" within mid-morning on a Monday in the actions of the board in releasing persons with long criminal records.

Reeves admitted the attacks in courts, the victims and the pro-signed statements to Circuit Solicitors, the solicitor said in alibi. Warden O. R. Doss and Rob-

ert Murphy at Kilby Prison Tuesday afternoon.

The first statement read in part: "The first house I entered was on ... Avenue. This happened in July, 1951. I entered the lady's home through the front door. She was at the sewing machine. I tussled with her some five or 10 minutes. She screamed, and I ran out of the house. I didn't take a cab because I wasn't far from home. I ran all the way home."

### Robbery Confession

In the robbery confession, Reeves said:

"I entered the home of ... on ... Drive. I knocked at the door. She came to the door. I grabbed her at the front door. She screamed once or twice. I hit her with my hands, and there I tussled with her some five or 10 minutes. I had a tie in my pocket. I taken it out and tied her hands and got \$6 out of a billfold that was lying on the bed. . . . I left her on the floor, came out the front door, and went home."

The tie had been held by police as evidence.

In the third statement, Reeves told of raping a white woman, from whom he took \$15.

"On Aug. 6, 1951, I entered the home of . . . I entered through the front door. She was sitting in a chair in the living room. There I attacked her on the living room floor. . . . I hit her

once or twice and her shoulder was broken. I didn't have any intention as this happened, and afterwards I came out of the door and her daughter was driving up

in a car. She told me to stop, and I didn't stop. I kept running.

A lady called a cab for me. I got up. She told me there was somebody at the door and I got up and then she got up and I started for the front door, so did she. She got to the front door

first. I ran outside and down the street. I pulled off the shoes I had on and ran up a little hill.

She came to the back door. On the corner of Erskine and 1st Streets, where I called a cab.

I tussled with her about three or four minutes. She screamed, and Reeves was arrested after an intensive search of the area by city, county and state police.

and when I heard her coming, I ran."

Tells of Another Rape

The fifth statement told of another rape.

"I entered the home, through the back entrance. There I attacked her in the front bedroom. I scuffled with her for a few

minutes. I hit her a number of times, and she screamed. And I came back out of the back entrance. Came around the front and that's where I caught a ride about a block from her home, and went on into town."

Question: "Did you know this man?"

Answer: "No sir, I had never seen him before. All I know, he told me that he was a traveling missionary."

Reeves said the victim was dressed only in underclothes when he entered the house.

In the assault case which happened last Monday, Reeves said the front door of the apartment had been left open for him to deliver a package from a downtown store.

So I gets up and gets bus, Highland Gardens bus, and rides to town, got a transfer Cleveland Avenue, got off the Cleveland Avenue bus at . . . When I crossed the street to . . . home, entered the house through the front door and went up her bedroom and looked around for money, didn't see any, came back by . . . bed. By that time she woke up. When she woke up, she set up and I jumped over on the side of the bed where I was and grabbed her, and there we scuffled. I tussled with her for some 15 or 20 minutes. My purpose when I left home, I was going to get money but when I grabbed her, and was tussling with her, the idea came to me to rape her, which I did try very hard, but it was useless. I never

Two special agents had been assigned to the case by the Montgomery Police Department. This was about the hottest preparation to take the Negro, he adjusted his pose and spot I have ever been in. Police called in special session to consider the evidence against Reeves. At one time more than 500 cl. The jury will meet here Friday.

Commited Six Crimes

In his last statement in the series of six he said:

"I committed these six crimes and learned one thing, crime does not pay, thank you.

In the series of attacks which started in July, 1951, police have been baffled time after time.

The grand jury has been re-called in special session to consider the evidence against Reeves.

The jury will meet here Friday.

This was about the hottest

Chief G. J. Ruppenthal stated

At one time more than 500 cl. The jury engaged in a search for the phantom attacker.

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### Pulled Off Boots

The boots Reeves said he pulled off after the attack were found by Lt. T. H. Goins, of the Montgomery Police Department.

Bloodhounds from Kilby Prison were used from this point to track the Negro to a nearby

house where the taxi was called.

Reeves was arrested by Deputies J. D. Tally and Wilson Armstrong and Highway Patrolmen Charles E. Glasscock and Joe Hedgepath.

The admitted attacker is a 5-foot, 6-inch, slender youth with

sensual features.

While under questioning, he remained calm, and smoked incessantly.

When photographers began

# Rapist Returned To Prison After Widespread Criticism

27 e (2)

## Negro Faces Arraignment Here Today

Willie Frank Hollifield, convicted rapist paroled only "days ago," has been returned to prison following criticism by Circuit Solicitor Emmett Perry in Birmingham.

Mrs. Ethel Salter Gayle, chairman of the State Pardon-Parole Board, said the action was taken because "under the circumstances" Hollifield didn't have a chance to make good on his parole.

The 39-year-old white man who was convicted of raping his aunt was picked up Wednesday by the Highway Patrol, just nine days after he was paroled. He had served seven years of a 20-year term.

Perry, explaining that both he and Judge Robert J. Wheeler, who presided at Hollifield's trial, protested the parole before it was granted, said he was "pretty fed up" at the board.

He criticized board members for releasing convicts with long criminal records over opposition of the courts, the victims and the prosecutors.

Mrs. Gayle said Hollifield was brought back to prison as a parole delinquent because that is the only way it can be done under the law. She added that it doesn't necessarily mean the parole will be revoked.

"Under the circumstances," she said, "the board felt that it would be impossible for Hollifield to make good on parole in Birmingham and therefore he was brought back for further determination."

Under provisions of the parole, he would have been required to remain in Birmingham.

## Man gets 20 years for rape of girl, 8

MONTGOMERY, Ala., Oct. 24 (P)—A 21-year-old man faced 20 years in prison today after his Circuit Court conviction on a charge of having carnal knowledge of an 8-year-old Negro girl.

Judge David H. Edington sentenced William Arthur Hite, of the Tanner-Williams company, after a jury deliberated almost two hours last night before finding him guilty.

The Grand Jury indictment involved a Negro school girl reportedly attacked at Theodore, Ala. Hite was arrested last March.

He was returned to stand trial after being committed to the state mental hospital at Tuscaloosa for observation.

### 'Public Trial'

THE exclusion of the public and the press from the Jeremiah Reeves rape trial is, of course, a limitation on the accused's constitutional right to a public trial.

Article VI of the U.S. Constitution guarantees a "public trial" as insurance that justice shall be done. The wisdom of this doctrine is beyond question.

But as with all the rights and freedoms we have there is a limitation. Freedom of speech, for instance, is not an unbounded right. It is abridged by libel and slander laws, national security laws and other controls of such paramount importance that not to restrict the freedom in this regard would be the greater injury to the individual and the Republic.

Similarly, the right of a public trial reaches the point of limitation when the admission of the public might disrupt due process of law. Whether such would have resulted in any way in the Reeves trial we do not profess to know. This newspaper has no complaint at all that its reporters and the representatives of the wire services were excluded. For the nature of the trial is such that witnesses might be reluctant to testify if the public and press were present. However, this reluctance is not necessarily peculiar to a rape case.

The law of Alabama, along with the laws of other states, has recognized the desirability of closing the courtroom to the public when the testimony is expected to be vulgar or obscene. In fact, the Alabama law seems to be more concerned with the moral effect on the public of the testimony in excluding the public than it is with justice for the defendant.

Title 15, Sec. 320, captioned "Exclusion Of Public When Evidence Vulgar," says:

In all prosecutions for rape and assault with intent to ravish, the court may, in its discretion, exclude from the courtroom all persons, except such as may be necessary in the conduct of the trial; and in all other cases where the evidence is vulgar, obscene, or relates to improper acts of the sexes, and tends to debauch the morals of the young.

But since neither this newspaper, the Associated Press, United Press, nor any publication we know of in this area of Alabama carries vulgar or obscene matter for its own sake, the exclusion of the press could hardly be justified from the standpoint of public morals. And, for that matter, several reporters on *The Advertiser* and *Journal* staffs already know more about some of the details of the case probably than the jury will when the trial is over. The defendant was interviewed by our city editor. The names of the women witnesses are known to us.

The question seems to resolve itself into this: if orderly court procedure is threatened by the presence of the press, the exclusion order is sound. If there is no such danger, the press should be admitted on principle, and in the capacity of public observer.

## Shoeprint sends prowler to pen for 99 years

A Negro is under a 99-year sentence here today for rape—mainly because of a shoeprint left on a bedsheets.

John Lewis Smith, 21, 615 Ninth-st, Pratt City, was given the sentence yesterday by a Circuit Court jury. He was found guilty of burglary of an occupied dwelling at night time with intent to commit rape.

Smith was arrested last Aug. 26 after a Northside matron called police and told them a prowler had attempted to rape her.

Detectives at the scene found a clearly defined shoe print on the woman's bedsheets. When Smith was arrested shortly after the incident, his shoe was matched against the print. Holes and lines in the sole of the shoe matched the print and Smith told detectives, "Boss, you got me."

The shoe print was preserved in a plywood and glass showcase and was introduced in Smith's two-day trial before Judge Robert J. Wheeler.

Detectives R. R. Chambers, M. H. House, H. F. Gibson and A. H. Gilchrist handled the case for the city.

Deputy Solicitor E. C. (Bud) Watson prosecuted Smith.

The jury interrupted its deliberations yesterday to ask Judge Wheeler, "How long will it be after sentencing before the parole board can turn him loose?"

The judge said he could not answer such a question, and the jury filed out—then returned in a few moments with the 99-year sentence.

## High school boy held as he admits beating Montgomery woman

MONTGOMERY, Ala., Nov. 11—A Negro high school boy was arrested yesterday in the citywide alarm that followed an attack on a 46-year-old white woman at her home.

Deputy Sheriff George Mosley said the boy, 17-year-old Jeremiah Reeves, admitted to attacking Mrs. Frances Prescott while trying to rob her, but denied a rape attempt which she also claimed.

Mrs. Prescott was hospitalized with head wounds but was reported in good condition. She told officers she fought with her assailant about 15 minutes in the mid-morning.

ROAD BLOCKS were set up around Negro districts and bloodhounds brought out soon after the alarm. Acting on a tip from a taxi driver, officers found bloodstained clothing at Reeves' home and sent out an arrest order.

Reeves was arrested near State Highway Patrol headquarters. He was spotted almost simultaneously by an off-duty Highway Patrol radio operator, Joe Hedgepeth; Patrolman Charles E. Glasscock, and two deputies, J. D. Tally and Wilson Armstrong.

Under questioning at Kilby Prison, Reeves denied an attempt at rape and also any connection with several similar incidents in recent months that have led to a \$1500 reward being posted.

# Alabama Gives White Man 30 Years In Rape Case

BIRMINGHAM, Ala. — An all-white male jury deliberated sixty-seven hours before returning a verdict of guilty last Thursday against a 33-year-old white man on two charges of rape. *P. 3*

The jury had the case under consideration from 4:40 p. m. Tuesday, February 26, until 9:30 a. m., Thursday, February 28. Before reaching a verdict it was reportedly hung, 11 to 1, for conviction.

*long neck Va*

UPON THE recommendation of the jury, Judge F. R. Matthews imposed sentences on the defendant, James Norton Guy, of twenty and ten years to run consecutively. Circuit Solicitor Howard H. Sullinger had asked the death penalty.

After the jury returned its verdict, it was learned eleven jurors had voted to give Guy either the electric chair or life imprisonment. *27e(2)*

Guy was charged with raping a 7-year old girl last November 6 and criminally assaulting a 20-year old mother of three children last December 31. Both rapes occurred at gunpoint. The trial opened before Judge Matthews last February 25.

The defense, headed by Attorneys William L. McElroy and James D. Hammonds, pleaded not guilty by reason of insanity.

THE SECOND WITNESS called was 7-year old Major Brown, classmate of the 7-year old victim of the white man.

"Do you know what a lie is?" Solicitor Sullinger asked the little boy. *3-15-52*

"Yes, sir," Major replied.

"Do you know what the truth is?" the Solicitor asked.

"Yes, sir," the boy replied.

"Those who tell lies where do they go and who gets them?" Sullinger asked.

"They go to the bad man,"

the boy replied.

"Will you tell us the truth?"  
"Yes, sir."  
"Why?"  
"Because I want to go to heaven to meet God," the boy answered.

LITTLE MAJOR pointed out Guy as the man who forced him and his 7-year old classmate into an automobile, and made him sit motionless on the front seat as he criminally assaulted his 7-year old victim.

After Dr. O. Evans, a physician, testified as to the condition of the little girl when she reached the hospital, the 20-year mother of three children testified that while she was waiting at a bus stop on the Bessmer - Birmingham super highway, Guy drove up and forced her at gunpoint to get into his car.

SHE SAID GUY drove into some woods, ordered her out of the car, laid his coat on the ground for her to lie upon, put his gun down beside himself, and forced himself upon her. "I was too afraid of him to scream for help," she said.

A 15-year old girl identified Guy as the man who attempted to rape her last October 15. She said she jumped out of his car after he had forced her into it at gunpoint.

Police Officer Lawton Grimes, Sr., testified that he arrested Guy as the latter got out of his car parked in front of his home last December 31. Grimes said Guy's automobile and tag number answered the descriptions given by his victims. City Jail Warden Lawton Grimes, Jr., testified that the 20-year old victim identified the shorts that were in police custody as the ones Guy was wearing when he attacked her.

DR. JACK CLAYTON of Hillman - Jefferson Hospital,

who examined the 20-year old victim, said he found no evidence of rape some seven or eight hours after the alleged attack had occurred.

A MRS. CAFFEY of Wood-

stock, Ala., another defense witness, testified that she had taken care of Guy from the time he was about 8 years old until he became 14. "He had never been bright," she said. "One time he tried to kill his own brothers and sisters," she added.

Other lay testimony as to his mental condition was introduced. His wife, Mrs. Mary Guy, testified that ever since a Cocker Spaniel bit her husband late July he has had "spells." But Dr. Kay, a psychiatrist, testified that Guy has "very good sense."

GUY, WHO TESTIFIED in his own defense, was asked why had he bothered this colored woman.

"Well, this may stir up the court when I say this, but I was always told that having just one time with a colored woman would change a white man's luck. Bring good luck, that is," Guy told the court.

Attorneys David H. Hood, Jr., and Arthur D. Shores were employed as special counsel in the case by families of the victims.

## Scottsboro boy is near death from cancer in Michigan prison

JACKSON, Mich., June 26—(P)— Haywood Patterson, one of the principals in the Alabama Scottsboro case of the early 1930s, today lay near death in the Southern Michigan state prison.

Police officials said the 39-year-old Negro convict is a victim of cancer. Dr. Russell Finch, prison hospital physician, said Patterson could not live two weeks.

Patterson is serving a 15-year sentence on a manslaughter conviction in the 1930 rape slaying of another Negro in a Detroit bar.

The Michigan Parole Board has refused to release him from prison. The board said to move him might speed his death. He has received other five eventually were sentenced to prison terms ranging from 20 years to life imprisonment.

All since have been paroled by the state of Alabama, except Patter-

Alabama

## WHITE MAN KILLED WHILE FOR RAPE OF EIGHT-YEAR-OLD GIRL

Negro, serving life for attack, one of nine cons paroled

MONTGOMERY, Ala., Nov. 4—(P)—A Negro serving life for raping a white woman in Montgomery County was one of nine convicts paroled in Alabama last week. Twelve other applications were denied and 17 previously granted paroles were revoked.

Ed Williams, the convicted rapist released on parole. He was sentenced on March 5, 1937.

Other paroles last week went to: Willie James Coachman, Negro, sentenced from Jefferson on Oct. 18, 1950, to serve six years for burglary.

Frazier Gilot, Negro, sentenced from Sumter on Oct. 9, 1951, two years for grand larceny.

Jack Henning, sentenced from Montgomery on Nov. 24, 1948, to serve 10 years for robbery.

Roosevelt Howard, Negro, sentenced from Jefferson on Oct. 28, 1951, three years and a day for burglary.

Charles Edward Johnson, Negro, sentenced from Jefferson on Oct. 21, 1949, to serve 14 years for robbery.

William R. Stripling, sentenced from Tuscaloosa on April 5, 1951, to serve three years for distilling.

Frank White, Negro, sentenced from Perry on Nov. 13, 1951, to serve two years and two days for distilling.

Ralph J. Williams, Negro, sentenced from Jefferson on Oct. 8, 1951, to serve 15 years for burglary.

# Bull Connor, Racist Faces Impeachment

BIRMINGHAM, Ala.—One of Dixie's most notorious lawmen—Eugene (Bull) Connor, Public Safety Commissioner of the city—faces the end of his fourteen-year-reign, following recommendations asked for his impeachment on fifteen counts by Jefferson County grand jury, Feb. 7.

The grand jury indicted Connor on fifteen counts, saying that he was "willfully, immoral, perverse and a failure as an executive." It recommended his impeachment and removal from office. Action on the recommendations is expected within the next two weeks.

The grand jury said that Connor "listened to no advice and took neither from his friends nor enemies nor neutrals. He has the whole authority of the state at his disposal, logic being of no avail." It added that the public "should not have the right to go to him or demand him, and he should be held in large,

and he should be held without a committee of inquiry."

"Connor is neither a man nor a statesman," it said.

During his fourteen years Connor has been responsible for several race-hatred incidents, chief among them being his refusal to allow the Freedom Train to halt here some years ago, unless white and black people had to sleep in separate cars.

He was also responsible for the bombing of the Negro delegation to the 1948 Democratic National Convention.

During his administration, as in Bull Connor's day, are numerous.

## Connor Guilty Conviction In Morals Case

BIRMINGHAM, April 10—(P)—Birmingham Police Commissioner Eugene Connor Thursday was convicted of a morals charge. A circuit court jury held the veteran city official guilty of joint occupancy of a room with a woman not his wife. He was acquitted of charges of being intimate or attempting to be intimate with a woman.

The jury fined Connor \$25. Judge

George Lewis Bailes postponed until Monday formal sentencing to permit defense attorneys to prepare an appeal.

# Bull Connor Appeals Conviction in Sex Case

BIRMINGHAM, Ala.—Eugene "Bull" Connor, Birmingham's notorious chief of police, filed notice here last week that he will appeal his conviction on morals charges.

Ironically, Connor was convicted under a law that was introduced by him. During his fourteen years of service as the Commissioner of Public Safety, he had promoted a boisterous and violent program of white supremacy which was accompanied by a persistent moral crusade.

Connor, who is married and has a married daughter, took the witness stand in what turned out to be the biggest Police Court trial in the eighty-year history of Birmingham.

### FOUR COUNTS

The policeman was convicted on four counts: 1. Occupying jointly and privately a hotel room with a person of the opposite sex, other than his wife, parent, or child; 2. Attempting to have sexual intercourse with a female person other than his lawful wife; 3. Having sexual intercourse in a hotel room with a person other than his lawful-wedded wife; 4. Committing an act tending to the breach of peace. All of these were violations of the Birmingham General City Code of 1944.

Connor was found with his 21-year-old blonde stenographer-clerk, Christina Brown, in Room 760 of the Tutwiler Hotel on Dec. 21 by Detective Henry Darnell.

The case broke into the national news scene after it was ascertained that Connor was one of the "walkout delegates" at the 1948 Democratic National Convention. Under Connor's administration former Idaho Senator Glen Taylor was arrested for violating segregation laws when he came to Birmingham as a Vice Presidential candidate.

Other black marks against Connor's reign as police chief have been nine unsolved racial bombings and two fire-ravaged homes in dispute of racial zoning laws. From 1948 through 1951, twenty-six Negroes were killed by Birmingham police guns.

THE DEATH sentence was finally commuted to seventy-five years imprisonment at Alabama's infamous Kilby Prison, where he served eighteen years before escaping from a rice field detail in 1948. (He later wrote a book about the trial and prison.)

Determined to never return to the prison which he described as a "hell hole," Patterson hid out in New York for nearly two years, but came to Detroit early in 1949 where he contacted three of his sisters and obtained em-

# Scottsboro Boy Dies in Prison

By FRANK WHISONANT

DETROIT—The troubled life of "Scottsboro Boy" Heywood Patterson is over. He died Friday night in Jackson Prison. The prison doctors pronounced him dead at 9:40 P. M. He had been bedridden with cancer for four months.

Patterson fought a gallant fight against his affliction. They had

announced, June 10, that he would not live more than two weeks. He stretched the two weeks into nearly three months, and at times appeared strong enough to be taken outside the hospital.

### Bury 'Boy' in Detroit

Funeral services for Heywood Patterson, famed Scottsboro (Ala.) prisoner, will be held at Diggs Chapel Wednesday afternoon, a sister, Mrs. Louise Jackson, of 3106 Joseph Campau, said. The body will not be taken back to his native Georgia, she said.

of fleeing the state of Alabama to avoid prosecution.

A month later Gov. G. Mennen Williams denied Alabama's request of extradition and Patterson went free.

SIX MONTHS later, as he peddled his book, "Scottsboro Boy," in a bar at Orleans and Russell he became involved in a brawl with a Willie Mingo, 27, and stabbed him.

Since the victim was thrown out of an automobile and died while on the way to the hospital, there was some question as to whether he died of the knife wounds or from falling from the car. An autopsy showed the knife wounds caused the death.

Patterson was charged with first-degree murder. He went to trial April 28, 1951. It resulted in a hung jury. Two weeks later another trial was disqualified when the judge learned that one of Patterson's sisters and a friend had reportedly tried to influence the jurors.

Sept. 15, he went on trial again and was convicted of manslaughter.

Patterson's sisters, Mrs. Louise

Jackson, 3106 Joseph Campau, and Mazelle Patterson, 2822 Chene, had appealed to the Parole Board last June to release their brother from prison so that he might die outside prison walls. The appeal was never granted.

## White Man Sentenced To 30 Years In Rape Case

BY MARCEL HOPSON

BESSEMER, Ala. — It took an all-white jury two days and approximately 19 hours to deliberate and decide the fate of a 33-year-old white man held on two charges of rape last week.

Thursday morning at 9:30 o'clock it returned a guilty verdict against James Norton Guy on the two rape charges with recommendations of 20 and ten-year sentence on each. Presiding Circuit Judge F. R. Mathews imposed the two prison term sentences totaling 30 years.

Following the two-day heated trial, in which Circuit Solicitor Howard H. Sullinger asked for death in the electric chair for the defendant, the jury retired to its secret chamber at 4:40 P. M. Tuesday and remained hung, 11 to 1, up to Thursday morning.

An inside source disclosed that eleven of the jurors voted to give Guy either the electric chair or a life sentence. Only one dissented.

Guy, defended by Attorneys Williams L. McElroy and James D. Hammonds had been tried for allegedly ravishing a seven-year-old girl last November 6 evening and

criminally attacking a 20-year-old mother of three children last December 31 evening, both reportedly at gunpoint. The trial began in Judge Mathews' court last February 26 morning.

### TRIAL HIGHLIGHTS

Apparently realizing that all evidence pointed at Guy's guilt to the charges, despite their colorful and vigorous fight for the defendant's innocence, the defense lawyers presented the court two pleas of not guilty, one for reason of insanity.

### "KNEW THE POWER OF GOD"

Seven-year-old Major Brown was second prosecution witness to take the stand Monday. He was reportedly the little boy and classmate with the seven-year-old victim at the time she was accosted by the defendant. His testimony was briefly interrupted by the defense attorneys who argued the qualifications of his right to testify due to his youngfulness. A few words passed between Solicitor Sullinger and the lawyers before Judge Mathews intervened. Then, Mr. Sullinger

began to test little Major for his knowledge of right and wrong, truth and lie.

"Do you know what a lie is?" the solicitor asked.

"Yes sir," little Major replied.

"Do you know what the truth is?"

"Yes sir," the intelligent baby boy replied again.

"Those who tell lies, where do they go and who gets them?", the solicitor asked.

"They go to the bad man (the devil)" sparkling-eyed Major answered, pointing his finger toward the earth designating Hell.

"Will you tell us the truth?"

"Yes sir."

"Because I want to go to Heaven to meet God," Major said as he pointed his finger toward the skies.

Judge Mathews smiled at the child's knowledge of the Supreme Being, Almighty God, approvingly and objected to the defense lawyers' request to disqualify little Major.

Little Major pointed out Guy as the man who forced him and his seven-year-old classmate into a car, made him sit motionless in the front seat as he allegedly forced his wishes upon the little girl-victim, it was said.

Third prosecution witness was Dr O. Evans, physician, who examined the little girl. He testified that he found lacerations inside and outside of the child's sexual organ; that the child had to be put to sleep with an anesthetic, and had to be given 900,000 units of Penicillin. She was confined to a hospital for ten days, the doctor said.

### SECOND VICTIM TAKES STAND

Next on the witness stand was the 20-year-old mother of three children. She testified that Guy drove up in his car at the Valhalla Cemetery BECO bus stop on the Bessemer-Birmingham super highway. She said she was waiting for a Bessemer-bound bus around 12:10 that afternoon of December 31. She said Guy alighted from his car and asked her where she was going. She said she told him that she was going to Bessemer to mail a package at the post office. "He then told me to get in. At first I hesitated, and then got in the car when I saw his gun," she testified.

"I was afraid of him. He then drove the car through Midfield,

across the South Bessemer highway on to some woods behind a Wrennah camp mine. He ordered me out the car and put his gun beside him on the ground after laying his coat down for me to lie upon. He then forced himself on me. I was too afraid of him to scream for help," she testified.

### THIRD VICTIM TAKES STAND

Although her case was not being tried, a 15-year-old victim took the stand purposely to identify Guy as the man who allegedly attempted to rape her last October 15 but she thwarted his attempts when she jumped out of his car and ran. She testified he had forced her in his car at gunpoint, too. She pointed Guy out as the man.

She told the court that she had left home going to the P. O. Box, located near the U. S. Pipe Shop plant yards, to mail a letter when Guy allegedly drove up, stopped his car and asked her if she wanted a job. She testified, she told him that she would have to go home first and ask her mother. He then asked me to get in his car and he would take me to my home to ask my mother. I wouldn't, and he forced me in.

Police Officer Lawton Grimes Sr said he picked up Guy as he alighted from his car parked in front of the defendant's home, 1922 North Ninth Avenue, about five P. M. December 31. Mr. Grimes said Guy's car and license plate number answered the descriptions given by all three victims. City Jail Warden Lawton Grimes, Jr. said the 20-year-old victim identified the underwear (shorts), then in police custody, as one belonging to Guy and the pair he was wearing when he attacked her she said.

### SIGNS TWO CONFESSIONS

Special Investigator Robert Saunders, for Solicitor's office, brought two written purported confessions of the rapes signed by Guy on the day after his arrest. Guy did not deny that he signed the confessions to the two assaults but he claimed he could not understand everything he wrote on them.

## White Rapist In Ala. Sentenced To 30 Years

BIRMINGHAM, Ala. (UPI)—An all-white jury deliberated 19 hours before returning a verdict of guilty last Thursday against a 33-year-old white man on two charges of criminal assault. The jury had the case under consideration from 4:40 p.m., Feb. 26, until 9:30 a.m., Feb. 28. Before reaching a verdict, it was reportedly hung, 11 to 1, for conviction.

Upon the recommendation of the jury, Judge F. R. Mathews imposed sentences of 20 and 10 years to run consecutively. Circuit Solicitor Howard H. Sullinger had asked the death penalty.

After the jury returned its verdict, it was learned that 11 jurors had voted to give Guy either the electric chair or life imprisonment. He was charged with assaulting a seven-year-old girl last November 6 and criminally assaulting a 20-year-old mother of three children last Dec. 31. Both attacks occurred at gunpoint. The trial opened before Judge Mathews last Feb. 25.

**Little Boy Testifies**

The defense, headed by Attorneys William L. McElroy and James D. Hammonds, pleaded not guilty by reason of insanity. The second witness called was a seven-year-old classmate of the seven-year-old victim of the white man. The classmate pointed out Guy as the man who forced him and the little girl into an automobile, and made him sit motionless on the front seat as he criminally assaulted his 7-year-old victim.

After Dr. O. Evans, a physician, testified as to the condition of the little girl when she reached the hospital.

**Attacks Mother In Woods**

The 20-year-old mother testified that while she was waiting at a bus stop on the Bessemer-Birmingham super highway, Guy drove up and forced her at gunpoint to get into his car. She said he drove into some woods, ordered her out of the car and attacked her.

Police Officer Lawton Grimes Sr. testified that he arrested Guy as the latter got out of his car in front of his home on Dec. 31. Grimes said Guy's automobile and tag number answered the descriptions given by his victims. City

### Conviction Of Ala. Man In Attack Cases Hailed As Victory

MONROE, Ala. — The sentencing of a 33-year-old white man in this Alabama community to 30 years in prison with no opportunity of parole for criminal assault of a 7-year-old colored child and a 20-year-old mother, was regarded as a victory in the fight for justice in the courts being waged by the Alabama State Conference of Branches of the NAACP.

James Norton Guy received 20 years on the charge for the child and 10 years on the charge for the young woman. He pleaded innocent by reason of insanity.

Mrs. Ruby Hurley, NAACP regional co-ordinator, reported that NAACP branches in the area held a series of meetings to arouse public interest in the case. She said that public skepticism about the possibility of securing a conviction had to be overcome, and praised David Hood, NAACP attorney in Bessemer, for his "relentless work against many odds."

# Jury Finds James Guy Guilty of 2 Rape Charges

## Muted 30 Years

An all-white jury yesterday morning returned a guilty verdict against James Norton Guy on two charges of rape with recommendations of 20 and 10 years sentence on each. Presiding Judge Matthews imposed the two prison term sentences which totaled 30 years.

BY MARCEL HOPSON.

BESSEMER, Ala. — The fate of a 33-year-old white man held on two charges of rape and one attempted rape count was still undecided as an all-white Circuit jury remained hung, 11 to 1, this morning for its second day here.

Chief figure in the two-day heat-of-trial is James Norton Guy, white, of 1923 North Ninth Avenue, who was tried for allegedly criminally attacking seven-year-old girl, a 20-year-old mother of three children, and attempting to ravish a 14-year-old girl last year on separate dates, court officials said.

The two-day hearing went into session last Monday and extended through Tuesday before the prosecution and defense rested respectively. The prosecution rested at 10:27 a. m. The defense rested at 3:10 p.m.

The jury retired to its secret chamber at 4:40 Tuesday evening to prepare a verdict and has remained hung ever since.

Circuit Solicitor Howard H. Sullinger, Bessemer Division, is prosecuting for the state. Attorneys William L. McElroy and James D. Hammontree are defense counsels for the defendant.

### ASKS FOR MAXIMUM

The state is asking for the maximum death sentence in the electric chair for the defendant required by State law upon guilty and conviction of rape.

Among witnesses for the prosecution were: Clyde Osborne, principal of Roosevelt Junior High School where the 7-year-old victim is reported in the second grade; seven-year-old Major Brown who is also second grade student at Roosevelt; Dr. O. Evans, physician who examined the baby girl after the alleged attack; the young victim herself; victim's mother and father; the 20-year-old victim; the 14-year-old attempted rape victim; Bessemer Police Officer Robert Grimes, Sr.; City Jail Warden Robert Grimes, Jr., and

Saunders, special investigator in solicitor's office.

According to testimony, the 33-year-old girl was assaulted some time in last October, the seven-year-old girl last November 6, and the 20-year-old mother last December 31.

### ENTER PLEA OF INSANITY

At the outset of the trial, defense attorneys argued vigorously that the defendant was insane, had nervous breakdowns, always thought irrationally, and should be committed to an insane asylum.

Defense witnesses included: Dr. Jack Clayton, Hillman-Jefferson Hospital physician; a Mrs. Caffey, of Woodstock, Ala., Daniel B. and Mrs. Kathy Elizabeth Mears, couple who resided with defendant and his wife; the defendant's wife, Mrs. Mary Guy, E. J. Townsend, local grocer; Dr. Allen E. Cughton, Bessemer physician; Guy himself and Dr. S. W. Wright, jail physician. Bessemer Police Chief C. T. Mullen was called to the stand to be asked a question by both the defense and prosecution.

Circuit Judge F. R. Matthews presided.

Attorneys David H. Hood, Jr. and A. D. Shores served as special counsels for the families of the victims.

## Gets 30 Years For Rape Of Woman, Child

BESSEMER, Ala. — A white man was sentenced to prison terms totaling 30 years here Thursday for raping a 7-year-old child and a young woman. The man, James Norton Guy, 32, pleaded innocent by reason of "insanity." The trial lasted three days.

Testimony showed that Guy picked up the little girl in an automobile while she was walking home from school.

It was also brought out that he lured the young woman, 20, into the rape trap by promising her work.

The Circuit Court jury reported the convictions Thursday and Judge F. R. Matthews sentenced Guy to 20 years for ravishing the child and 10 years for raping the young woman.

She said she told him that she was going to Bessemer to mail a

# Alabama Rapist Gets Jail Term

BESSEMER, Ala. — It took an all-white, all-white jury two days and 18 hours, last week, to decide to punish a white man here for raping two colored females, one a girl of seven and the other a mother of three children — to the extend of giving him a jail sentence.

Colded men accused of criminally attacking white women are sentenced to death without question. This white man was given a 30-year term, which he could be freed after 10 years.

Following the trial, in which Circuit Solicitor Howard H. Sullinger asked for death for the rapist, James Norton Guy, in the electric chair, the jury retired to its secret chamber at 4:40 p.m. Tuesday and remained hung 11 to 1, over the question of the death sentence up to Thursday morning.

Guy, defended by William L. McElroy and James D. Hammontree, attorneys, had been tried for ravishing a 7-year-old girl last Nov. 6 and criminally attacking a 20-year-old mother of three children last Dec. 31, both reportedly at gunpoint.

### Trial Highlights

Apparently realizing that all evidence pointed at Guy's guilt to the charges, despite their fight for the defendant's innocence, the defense lawyers presented to the court two pleas of not guilty, one of them for reason of insanity.

Dr. O. Evans, physician who examined the little girl, testified that he found cuts inside and outside of the child's sexual organ, that the child had to be put to sleep with an anesthetic and had to be given 500,000 units of penicillin. She was confined to a hospital for ten days, the doctor said.

### Second Victim Testifies

Next on the witness stand was the 20-year-old mother of three children. She testified that Guy drove up in his car at the Valhalla Cemetery BECO bus stop on the

Bessemer - Birmingham Super Highway, alighted from his car and asked her where she was going.

She said she told him that she was going to Bessemer to mail a

# Rucker GI acquitted on charge of assaulting elderly woman

MONTGOMERY, Ala., March 6 (AP) — A husky Camp Rucker, Ala., soldier was free today after a Circuit Court jury acquitted him last night of charges that he raped a woman old enough to be his grandmother.

Sgt. George F. Hill of Stuttgart, Ark. 21, smiled broadly when the jury announced its verdict just a few minutes before midnight. The jurors deliberated nearly five hours.

Hill, testifying in his own defense, insisted he did not strike the 63-year-old woman or force his attentions on her.

But the woman, whose home is Easton, Pa., testified that the young GI struck her twice as she attempted to get out of a taxicab and that she "blacked out" and didn't remember anything for several hours.

SHE CAME here to visit a son stationed at nearby Maxwell Air Force Base.

"I did not rape Mrs. [redacted] he said. "I did not use force or strike her."

Hill admitted, however, that he had been drinking heavily and was "drunk" when he left the Montgomery VFW Club shortly before the incident.

The woman told the court she, too, had "four or five" drinks of whisky with Sgt. Hill and others, including her son and his girl friend, in the VFW Club.

Hill followed her when she left and got into a taxi with her.

THE TAXI DRIVER testified Hill tried to make love to her in the cab and that she pulled away from him. He said the Camp Rucker sergeant wouldn't let her get out of the cab when it arrived at her destination.

Another witness, an Air Force sergeant who lived near the scene of the alleged rape, said he heard the woman scream for help and Hill tell her to be quiet.

Two doctors from Maxwell Air Base who treated the woman said she gave them conflicting accounts of what happened. This the woman denied.

27e(2) 1952

Arkansas

8392

Ark. Rapist  
Dies Afterp. 13  
Third Trial.

LITTLE ROCK, Ark.—A last minute fight to save the life of a thrice convicted rapist went for naught last week as Herman Maxwell was electrocuted at the Tucker prison in the presence of 28 witnesses and state officials.

Maxwell, who had won two reversals in a three year fight to avoid the death chair, was convicted in 1949 for the rape of a white woman, Ruby Nichols.

Harold K. Flowers, well known Ark. civil rights attorney represented Maxwell and along with other political and civic leaders, resorted to winning a stay of execution for Maxwell.

In a petition filed in Federal court before Maxwell's execution, Flowers asserted that Maxwell had been deprived of a motion for a new trial, and that the atmosphere surrounding the trial was so "tense and charged with threats of violence" that the defendant was spirited into the court house without prior notice or counsel.

Maxwell was first convicted in 1944 when he was represented by six white attorneys appointed by the court. Flowers entered the case and won a reversal and new trial. The case was tried again in 1950 and Maxwell was again convicted and sentenced to death. Another reversal won a third trial for the defendant and, for the third time he was sentenced to death.

An appeal was later prosecuted by Flowers in the Supreme Court which denied Maxwell a review in April 1952.

In last minute efforts the attorney carried his case to the federal court, only to have actions defeated through absence of federal judges and inaction on the part of the governor, Sid McMath, to intervene.

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Arkansas

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## SENTENCE IS UPHELD IN ASSAULT ON CHILD

*27e(2)*  
Father's Statute of Limitations Appeal Denied

*trk*  
ARKANSAN GOT 18 YEARS

By KEN JOHNSON

From The Commercial Appeal  
Little Rock Bureau

P. 15  
LITTLE ROCK, Nov. 10. — The Arkansas Supreme Court Monday upheld an 18-year prison sentence against a Saline County man convicted of criminally assaulting his daughter.

In doing so, the court ruled that the statute of limitations does not apply where a capital offense is charged.

Curtis Willis received the sentence from a Saline Circuit Court after a grand jury had indicted him on a charge of raping his then nine-year-old daughter, the attack taking place in September of 1946. The daughter is now 15.

### Charge Reduced

The lower court had reduced the rape charge to one of carnal abuse, and following his conviction this year, Willis appealed to the Supreme Court on grounds that the three-year statute of limitations had put him beyond the reach of the law.

The Supreme Court, pointing out that lower court testimony indicated Willis had forced more than one attack against his child, upheld the sentence. The court pointed out that the original indictment had been one of a capital offense, and added that the statute of limitations doesn't apply where capital offenses are being tried.

8394

## Assault Case Draws 10-Year County Term

Two men charged with sex crimes were convicted and sentenced in separate cases yesterday in Montgomery County Circuit Court at Rockville.

Zachariah T. Musgrove, 33-year-old former convict, 914 Kennedy St. NW, was found guilty of a sex assault on a 14-year-old boy near Four Corners, Md., on October 13.

Having a jury trial, Musgrove, a laborer, was tried by Chief Judge Charles W. Woodward and sentence to serve 10 years on each count, the sentences to run concurrently.

In pronouncing sentence, Judge Woodward termed the convicted man "one of the most dangerous sadists ever tried in the court" and told him, "you should not be allowed to walk free ever again until you have been cured by treatment."

The trial brought out that Musgrove had served five years of a 20-year sentence imposed after a court-martial at Sheppard Field, Tex., which found him guilty of assault with intent to commit rape.

Following Musgrove's conviction, a jury found Cornelius E. Wilson, 23, of Rockville, guilty of committing an indecent act on a 13-year-old boy. Wilson, who received a four-year sentence, is scheduled to go on trial in January on a charge of assault with intent to rape a 6-year-old girl.

27e(2) 1952

D.C.

8406

## ~~Man Gets Life For Assault~~

~~WASHINGTON — (AP) — Because of his aged mother, Robert Byrd, 35, last week received life in prison instead of death for assault with intent to rape.~~

~~A Montgomery County circuit court convicted him of attacking a 15 year old girl, last July. His sentence could have been anything from two years in prison to death by hanging.~~

~~Byrd had asked for a suspended sentence on grounds that his mother needed him for support. But Chief Judge Charles W. Woodward said:~~

~~"The only problem in my mind is whether to have you hanged or to imprison you for life. I am going to be lenient. The crime you have been convicted of is as bad a crime as can be committed."~~

~~"The age of the girl is of no importance, whether it be 15 or 35. No man who did what you did has the right to walk freely on the public streets."~~

8395

# Florida Killer Reveals Escape Plot, Wins Stay

By the United Press  
TALLAHASSEE, Fla., Jan. 5.—A doomed murderer's story of overhearing a death house escape plot won him a stay of execution today and unfolded a new chapter in Florida's Groveland rape case. *27e (2)*

Gov. Fuller Warren granted a temporary reprieve to Merlin James Lieby of Frederick, Md., at the request of Lake County Sheriff Willis McCall, who shot the last two Negro defendants in the Groveland case—one of them fatally.

## Heard Escape Plot

Sheriff McCall said he had "been informed" that Lieby, who was scheduled to die Monday for the 1949 murder of a Baltimore druggist, overheard the two Negroes "planning to escape." The Negroes had been confined in the death house, awaiting a second trial on charges of raping a teenage white farmwife at Groveland, Fla.

## Cites Northern Bias

The sheriff killed Samuel Shepherd and critically wounded Walter Lee Orvin Nov. 6 while taking them handcuffed together to the county seat of Lake County for the retrial, which was ordered by the U.S. Supreme Court. Mr. McCall said he shot them when they tried to escape. A coroner's jury indorsed the sheriff's story and cleared him.

In a letter to Gov. Warren the sheriff wrote:

"Even though Lieby has already made a signed statement which was turned over to the FBI, I believe that testimony from him in person would have great bearing in case the prejudiced groups in New York being enough pressure to bear in Washington for the Justice Department to place this case before a federal grand jury."

Many labor groups and the National Assn. for the Advancement of Colored People—whose state director, Harry T. Moore, an active crusader for the Groveland Negroes, was murdered with his wife fatally injured by a terrorist's bomb Christmas Night—have urged a federal grand jury investigation of the shooting.

## Move On To Get NAACP Lawyers Back In Fla. Case

TAVARES, Fla.—Another motion to admit Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People, and Jack Greenberg, assistant special counsel, as attorneys for Walter Lee Irvin, surviving defendant in the Groveland rape case, will be made here on January 14, as preliminary motions as the case get under way. The two NAACP attorneys were previously barred from the case by Circuit Judge T. J. Futch because they represented the NAACP. *27e (2)* He claimed he stirred up racial trouble in the community.

Alex Akerman, Jr., and Paul Perkins, Florida attorneys for the defendant, will also place before the Marion County Circuit Court a motion to suppress certain evidence being offered by the state. At the present time, no date has definitely been set for the actual re-trial to begin.

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## NEW TRIAL TO OPEN IN FLORIDA ATTACK

*27e (2)*  
Mon. 2-11-52  
Last Defendant in Groveland  
Case of 1949 Will Face  
Court in Ocala Today

## CHANGE OF VENUE SOUGHT

*27e (2)*  
'Atmosphere' Is Called Hostile  
—Previous Death Sentence  
Reversed by High Court

*27e (2)*  
By RICHARD H. PARKE  
Special to The New York Times

OCALA, Fla., Feb. 10.—The sole remaining defendant in the 1949 Groveland rape case, Walter Lee Irvin, 28 years old, will go on trial for his life for the second time tomorrow, unless another change of venue is granted at the last moment.

The Negro farmhand, whose original conviction and sentence to the electric chair was upheld unanimously by the United States Supreme Court last April, will appear in the Marion County Courthouse here before the same judge who presided at the first trial.

As court opens in the Marion County Circuit Court, the attorneys for Irvin, who was convicted with two other Negroes criminally assaulting a 16-year-old white woman near Groveland in July, 1949, again will urge Judge Truman G. Futch to change the scene.

Two months ago Judge Futch, sitting at Tavares in central Lake County where Irvin had been held since his second trial there after the state had objected that the "atmosphere" in Lake County was "prejudice and hostility" toward the defendant. If Judge Futch refuses further change, the trial will go under way at once.

The defendant, who was brought here from the State Penitentiary at Raiford, is suffering from wounds suffered November when he and two Negro convicts in the case, Samuel Shepherd, 33, were shot by Willis McCall, Lake County Sheriff. The shooting, in which Shepherd was killed, occurred while Sheriff

McCall was taking the men from Raiford to Tavares for a hearing in connection with a new trial. A coroner's jury ruled that the Sheriff had fired in self-defense.

## Fourth Suspect Made

At the original trial in September, 1949, a third Negro, Charles Greenlee, 18, was found guilty and sentenced to imprisonment. A fourth man, Ernest Thomas, 21, died of his death by a house fire in Marion, Fla., several weeks after the alleged rape.

The Supreme Court, in reversing the convictions of Irvin and Shepherd, did not issue a blanket opinion. However, Justice Robert H. Jackson, writing a concurring opinion in which Justice Felix Frankfurter concurred, declared that the atmosphere of violence in Groveland made a fair trial impossible.

This was a reference to mob violence that broke out in the small central Florida town, about fifty miles south of here, while the prisoners were in jail. An attempt was made to lynch them and their Negro homes were burned. Order was restored only after the state had called out the National Guard.

Justice Jackson's opinion criticizes the press of the area for effect prejudging the case and stirring public emotion. Before the trial began newspapers in and around Groveland quoted the negro as saying the men had confessed. One newspaper published a drawing of electric chairs with the caption: "No Compromising the Penalty."

The trial was conducted before an all-white jury but Justice Jackson found this only a matter of "technical importance." He pointed out that he did not see any practical matter, "how any Negro on the jury would have dared to have a disagreement for acquittal."

## Town Called Site of Tension

At the Tavares trial, Judge Futch ordered the courtroom doors closed and all spectators searched. Extra precautions are expected tomorrow, however. The residents of a city of 11,000 known for its cattle and its citrus and vegetables, avows no unusual incidents in the case. The town's only newspaper, The Delta Star-Sunner, has not commented editorially on the trial but has run several articles about it.

Leading residents report that there has been free of racial tension for years and point to the absence of well-run Negro schools and other community facilities.

Judge Futch, a former State Senator, is one of two judges in the Fifth Judicial District which embraces the counties of Marion, Sumter, Citrus, Hernando and

Lake. Judge Futch announced he would take the case again because he was "familiar" with its details.

Two lawyers from the National Association for the Advancement of Colored People, Thurgood Marshall, a Negro, and Jack Greenberg, have come from the North to join Irvin's counsel, but they must first receive permission of the court to take part in the case. Irvin also will be represented by Alex Akerman Jr., his counsel at the first trial. Mr. Akerman at present is on active duty as a Navy Commander with the Judge Advocate General's office but has received leave to be here.

## IRVIN SAYS FLORIDA PLANTED EVIDENCE

*P, 28-2760*  
Criminologist Testifies for Him  
in Rape Trial, Calls Casts of  
Shoe Prints Falsified

*2*  
By RICHARD H. PARKE

Special to The New York Times  
OCALA, Fla., Feb. 12.—The defense in the second Groveland rape case trial presented today a private criminologist who, testifying as an expert witness, accused the state of having used planted evidence.

His testimony, which brought tears from several hundred white and Negro persons in the Marion County courtroom, came shortly before the defense rested its case at 3:40 P. M. The state had previously rested at 11:30 A. M. The jury is expected to receive the case tomorrow.

Herman V. Bennett of Miami, Fla., the criminologist, told the all-white jury that in his opinion plaster casts of shoe prints allegedly found at the scene of the crime had been fabricated.

He conceded that the shoes were those owned by Walter Lee Irvin, 24-year-old Negro who is the sole remaining defendant in the 1949 case, but he contended that his examination of the casts showed that they were made did not come from shoes worn by a person.

"In my opinion," he said, "there were no feet in the shoes at the time the impressions were made."

## Believes Shoe Trees Were Used

Mr. Bennett, who had not testified at the first trial in 1949, explained that shoes worn by a normal human being left concave prints. The casts of the alleged prints were convex, he said, adding

opinion shoe trees might have been used when the impressions were taken.

Earlier in the day, Irvin, whose conviction in the first trial and sentence to death were upset last April by the United States Supreme Court, took the stand to repeat his denial that he had participated with three other Negroes in the raping of Norma Padgett, a 19-year-old white farm wife, near Groveland, Fla., on July 16, 1949. The prisoner insisted, as he had at his first trial in Tavares, that he had not been near the lonely Lake County road at the time of the alleged attack but had, instead, gone to local taverns with Samuel Shepherd, also convicted in the case, and had later returned to his home and to bed.

He also denied previous testimony by Deputy Sheriff James L. Yates that Willie Padgett, Mrs. Padgett's husband, had attempted to attack him outside the Irvin home when the police went to arrest him for the crime.

#### Admits Dishonorable Discharge

The prisoner admitted under questioning by his own counsel, Alex Akerman Jr., and by the State's Attorney, J. W. Hunter, that he had been dishonorably discharged from the Army some months before the time of the alleged attack.

The defense also produced another witness who had not testified at the 1949 trial. He was McLawrence Burtoft, son of the owner of a beer parlor about four miles from the scene of the alleged attack. Private Burtoft, who is stationed at Fort Jackson, S. C., testified that Mrs. Padgett had come into his place after the alleged attack and had asked him if he knew anyone who could help her find her husband. Mr. Padgett had been knocked unconscious on the roadside shortly before the four Negroes were said to have driven his wife off in a car.

Under examination by Mr. Akerman, the soldier said the young woman had not complained of having been criminally assaulted, but instead had said she had been robbed and kidnapped. He also quoted the victim as having said she could not identify the Negroes who had abducted her. He added that she "looked mighty calm."

Mr. Hunter sharply questioned the witness, accusing him of trying to "get even" with the soldier. The soldier replied: "I love state and when I get out I'm going to continue to make my living."

Mr. Bennett's testimony concerning the shoe prints took on added drama at the afternoon session because Sheriff Yates, the day's first witness, had told in some detail how he had made the plaster casts not only of the shoe prints but also of tire prints of the car allegedly used by the

Padgett's assailants. He testified that there were "just a mess of shoe prints."

## 2D RACE-CASE JURY, ALL WHITE, CHOSEN

Florida Farm Wife, 19, Points  
to Defendant as One of Her  
Attackers as Trial Starts

By RICHARD H. PARKER

Special to The New York Times

OCALA, Fla., Feb. 12.—The second Groveland rape case trial began here today before an all-white jury that heard a 19-year-old white farm wife identify Walter Lee Irvin as one of four Negroes who criminally assaulted her in 1949.

Mrs. Norma Padgett, testifying in a barely audible voice in a crowded Marion County courtroom, pointed to Irvin and repeated her previous testimony that he and three other Negroes had abducted her in their car on a lonely Lake County road on July 16, 1949.

She told the court that her assailants had beaten her husband Willie unconscious before taking her away with them.

Her testimony came shortly after the jury had been chosen for the new trial of the 25-year-old Irvin, sole remaining defendant in the case. Irvin's conviction and sentence to the electric chair in the first trial was unanimously reversed last April by the United States Supreme Court.

The jury was selected in three hours and one-quarter from a panel of 106, including seven Negroes. Four of the Negroes were excused for cause and three on peremptory challenges by the state. Forty white persons also were barred for various reasons. Both J. W. Hunter, the State's Attorney, and Alex Akerman Jr., counsel for Irvin, appeared equally pernicious in their efforts to obtain an impartial panel.

Several Negroes who were disqualified said either that they had formed an opinion or opposed capital punishment. One, Ernest Bennett, a citrus field worker told Circuit Court Judge Thomas G. Futch that he was unable to read and thus could not understand the law. Another Negro was rejected because his son had recently been arrested on a gambling charge.

#### Members of Jury

The twelve-man jury is composed of three farmers, two merchants, a citrus grove foreman, a citrus grove worker, an automobile agency employee, a construction company worker, a bookkeeper, a retired telegraph company messenger and an electrician.

The first trial, held at the Lake County town of Tavares, also was before an all-white jury.

In an opinion reversing Irvin's conviction on the ground that the first trial had occurred against a background of violence in Groveland, near where the alleged rape occurred, Supreme Court Justice Robert H. Jackson found the fact that the jury was all white only a matter of "theoretical importance." He observed that he did not see "how any Negro on the jury would have dared to cause a disagreement or acquittal."

Many of the prospective jurors admitted having formed opinions on the case because of newspaper stories. It was recalled that, in his opinion, Justice Jackson also took the occasion to criticize the press of the area for in effect prejudging the case and arousing public emotion.

Mrs. Padgett, a slim, blonde girl dressed in a simple white flower-printed dress and a coral-colored sweater, was preceded to the stand by her husband, the first witness for the prosecution. He told how he and his wife were attacked while driving to their home at Bay Lake, nine miles south of Groveland, from a square dance at an American Legion hall.

#### He Identifies Irvin

He said their car had broken down and that four Negroes in another car came by and offered to help them start it. He identified Irvin as one of the four and gave the names of the three other black prisoners in the case. He testified they were Samuel Shepherd, 21; Charles Greenlee, 18, who was sentenced to life imprisonment at the first trial, and Ernest Thomas, who was shot to death by a posse several weeks after the alleged attack.

Shepherd was killed last November and Irvin was wounded by Sheriff Willis McCall, who said he fired in self-defense when they tried to escape. The sheriff was exonerated.

Mr. Padgett ended his testimony

after telling how the Negroes had beaten him unconscious after making an apparent attempt to start the disabled car. Mrs. Padgett, taking up the account from that point, told the court that the Negroes forced her into their car, drove some distance, attacked her and then ejected her from the car. She said she walked four miles to a restaurant to summon help.

Under cross-examination by Mr. Akerman, Mrs. Padgett said she had told the restaurant proprietor to call the police but admitted she had not told him she had been raped. The man in question was not a witness at the first trial and it is understood the defense may call him at the second.

The only other witness was Deputy Sheriff James Yates, who told how he and Mr. Padgett had found the car allegedly used by the four Negroes in front of Irvin's home in Groveland. He described how he had been forced to restrain Mr. Padgett from assaulting Irvin

after the sheriff had brought the Negro suspect from the house.

The trial will be resumed in the morning.

## Lynch Law—Return Engagement"

(From the New York Post, Feb. 18, 1952)

"An all-white Florida jury yesterday convicted Walter Lee Irvin, last surviving defendant in Florida's 'Little Scottsboro' case.

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The jury was apparently unmoved by such disclosures. The state had only two real witnesses—Mrs. Padgett and her husband. But 'white supremacy,' the virtue of Southern womanhood and ancient Southern prejudice supplemented their testimony. Against them, Walter Lee Irvin and the attorneys for the National Association for the Advancement of Colored People were helpless. Prejudice suffocated the courtroom, evidence was irrelevant and justice never had a fighting chance.

"There are higher courts. This verdict was reversed once before; it will be reversed again. The tortured and twisted bigots of Ocala, Fla., have won another skirmish but the battle goes on. It is late in the day. Americans are fed up with legalized lynch law, whether practiced beyond the Iron Curtain or in a sanctimonious Southern courtroom."

## Groveland Prosecutor Is Indicted

JACKSONVILLE, Fla.—The man who has been for the past three years doing the most to have the Groveland boys electrocuted in the well-publicized Groveland case has found himself ensnared in the jaws of justice.

He is Jess Hunter. He was indicted here last week on charges that he deprived Negro David McKenrick Rose of his civil rights by keeping him in jail for more than a year without any legal proceedings against him—in violation of the Fourteenth Amendment of the Constitution of the United States.

Hunter, a foxy, unscrupulous prosecutor for the State of Florida, was indicted by a Federal grand jury.

## FLORIDA COURT RULES OUT DEATH SENTENCE

By International News Service

TALLAHASSEE, Fla.—The Florida Supreme Court Friday reversed the first degree murder sentence of a Brooksville man and ruled that his death sentence be reduced to a manslaughter conviction.

Willie Timmons, Negro, was convicted of killing William Langston in May of 1950.

Langston served as an unusual investigator for the Hernando County sheriff.

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# Irvin Found Guilty Second Time: Faces Death Penalty

All White Jury Deliberates 83 Minutes:

Trial A Series Of Rebuffs For Defendant

(Continued from Page 1)

Shepherd was shot down Nov. 6, 1951, by Sheriff Willis V. McCall of Marion county as he was transporting him and Irvin from the state prison at Raiford to Tayares for a second trial as ordered by the U. S. Supreme court. McCall also shot Irvin while both men were handcuffed, but Irvin lived through it.

The first trial for Irvin also had Shepherd and Greenlee as defendants. A quickly impaneled all-white jury found all three guilty, sentencing Irvin and Shepherd to death and Greenlee, because he was only 16, to life.

Following this September, 1949 trial, the NAACP appealed the case to the U. S. Supreme court. The high court ordered a new trial on the grounds that the case was held in an atmosphere of hate and fear in which it would be almost impossible for a Negro to have a fair trial. Only Irvin and Shepherd filed appeals, as Greenlee accepted the first sentence.

#### Second Trial

Finally, the second trial was scheduled to come up in November, 1951, when the fatal shooting of Shepherd aroused the whole nation. Sheriff McCall claimed that he shot Irvin and Shepherd in self defense as they tried to overpower him on a lonely road as he stopped to put a tire in his automobile.

Both men were handcuffed. Irvin said the sheriff shot them deliberately in cold blood. He said he was not killed because he played dead. He recovered from numerous injuries after spending several weeks in a hospital.

Florida investigators ruled that the sheriff shot in self-defense. Finally the second trial opened on Abraham Lincoln's birthday as an all white jury was selected from 100 veniremen, seven of whom were colored.

Except for the lack of violence preceding the trial, the second trial was a repetition of the first. Mrs. Padgett and her husband in the court they were attacked by four Negroes after their auto-

mobile had stalled on the road. She identified Irvin as one of the four.

Deputy Sheriff James Yates, whom Irvin said helped the sheriff in the Nov. 6 shooting in which Shepherd was killed, also testified in behalf of the state.

*Series of Rebuffs*

For the defendant, the trial was a series of rebuffs. First, Judge Futch refused a plea for the change of venue which would move the case to another court. Testimony from what would have been a key witness also was denied the defense. The court refused to hear a report on a poll taken by the famed Elmer Roper Poll survey. The poll revealed that most of the Negroes and whites in four counties surrounding Marion county had prejudged the case already. If this evidence had been allowed, the case may have been moved to another county.

For the defense, Herman D. Bennett, a former FBI agent,

testified that a cast of shoes used as evidence against Irvin was faked. Irvin did not testify in his own behalf.

In summary, Marshall said the state did not prove Irvin guilty beyond a doubt, nor did it even prove that Mrs. Padgett was raped.

The date for the electrocution of Irvin was not set.

Whites in the Negro community in Groveland, looting and burning down homes and terrorizing the people.

# New Trial Sought For Walter Irvin

OCALA, Fla. — Walter Lee Irvin, twice convicted by all-white juries of "raping" a young white farm wife, continued his fight for freedom and justice last week as Paul L. Perkins of Orlando, one of the attorneys retained for his defense by the National Association for the Advancement of Colored People, filed a motion for a new trial in the circuit court here.

The motion, filed on February 18, four days after the second conviction and death sentence, contends that the verdict was contrary to the law and the evidence and cites 22 grounds upon which a third trial is asked. Errors of the court, the petition asserts, denied Irvin "a fair and impartial trial as guaranteed to him by the Constitution" and deprived him of his constitutional right to "life and liberty."

#### CERTAIN EVIDENCE

Among errors of the court cited in the motion were failure to suppress certain evidence of questionable validity, denial of a motion for change of venue, rejection of the testimony on the findings of the Roper public opinion poll in Marion County, admission of hearsay evidence acceptance as evidence of shoe prints allegedly made by Irvin and denial of a defense motion for a mistrial "because of the improper and prejudicial argument of the State's Attorney."

Joining Mr. Perkins in the filing of the motion were Alex Akerman, Jr., of Orlando and NAACP special counsel and assistant special counsel Thurgood Marshall and Jack Greenberg.

Irvin was originally convicted in 1949 along with Samuel Shepherd and Charles Greenlee. Irvin and Shepherd were sentenced to death and Greenlee, then 16 years old, received a life sentence. A fourth man, Ernest Thomas, was shot to death by a deputized mob before the trial. On appeal to the United States Supreme Court, a new trial was ordered for Irvin and Shepherd. Shepherd was killed on November 6, 1951, by Sheriff Willis McCall, in whose custody he was en route to the new trial. Irvin, also shot by the sheriff, survived.

# Irvin Makes New Appeal To Fla. Supreme Court

OCALA, Fla. — (SNS) — Walter Lee Irvin, twice convicted of the rape of a white woman and lone survivor of three men accused of the crime, has appealed his second conviction in the Florida Supreme Court.

Irvin, who at present is in the state prison death house, used the same 22 grounds in his appeal that he used after his second conviction which was denied by circuit Judge Tryman G. Futch.

Irvin, who survived a shooting by a Florida sheriff who fatally wounded another man charged with the same alleged crime, charges in his appeal that the state attorney used "improper and prejudicial argument" during the trial. He also claims that the court erred in refusing to admit as testimony the results of an Elmer Roper public opinion poll concerning the case.

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## Heading For Death House



OCALA, Fla.—Walter Lee Irvin, 24, pictured center, who was on trial three days last week charged with the 1949 rape of a then 17-year-old white farm wife, is shown being escorted from the county jail and on his way back to Raiford and the death house. In the rear is Marion County Sheriff Don McLeod and to the right, Deputy Sheriff R. L. Wilkinson. Irvin was convicted and

sentenced for the crime the second time. His new trial was ordered by the U. S. Supreme Court and moved here on the granting of a change of venue resulting from hostile feelings in Groveland, Lake County, where the first trial was held and the crime alleged to have been committed.—(Interstate Press Photo).

## Favorites Bet On Marshall Faces Fight

DAVIES, Fla.—Another day to admit they were not neutral counsel for the defense, and Jack Greenberg and Charles Greenlee, the two Negroes condemned to die in the case of Walter Lee Irvin, the defendant in the

Groveland "rape" case, will be made here on Jan. 14, as preliminary motions in the case are decided.

The two NAACP attorneys were previously cleared from the case by Circuit Judge T. B. Finch because they represented one of the two Negroes who claimed sheriff's posse had wounded him in the community.

Alex Akerman and Paul Perkins, Florida attorneys for the defendant, will also place

## Irvin Twice Convicted On Rape Charge

### Efforts Renewed To Overturn Capital Punishment Verdict

TALLAHASSEE, Fla., — An appeal from the second conviction and death sentence of Walter Lee Irvin, surviving defendant in the tragic three-year-old Groveland case, was filed here last week in the Supreme Court of Florida by attorneys for the National Association for the Advancement of Colored People.

Citing numerous errors committed by the lower court in Irvin's second trial, which was ordered when the first conviction was upheld by the United States Supreme Court in April, 1951, the NAACP brief says: "From start to finish the trial below denied P. L. Irvin the fairness and justice which our constitutions and this court accord all litigants, especially defendants in capital cases."

THE NAACP asserts that "the denial of change of venue, the prejudicial admission of improper evidence, and refusal to admit admissible evidence, compounded by prejudicial argument and the refusal to grant necessary instruction," all conspired to deny the defendant his constitutional rights.

The Groveland case made headlines from its beginning in July, 1949, when a wave of terror flared up in the central Florida area after four Negroes were accused of the rape of a seventeen-year-old farm wife. One of the men, Ernest Thomas, was shot and killed by a sheriff's posse; the other three were tried in an atmosphere of tension and race hate and were convicted. Charles Greenlee, the youngest, was given life imprisonment and did not appeal. Irvin and Samuel Shepard were sentenced to death.

ON THE EVE of the scheduled new trial ordered by the U. S.

Supreme Court when it reversed Shepard and Irvin's convictions, Shepard was shot to death on a lonely Florida road by sheriff Willis McCall, who seriously wounded Irvin. Irvin was subsequently tried and convicted again and the NAACP is now appealing this second conviction.

Attorneys representing Irvin are Alex Akerman, Jr., and Paul C. Perkins of Orlando, and Thurgood Marshall, Jack Greenberg, and Elwood W. Chisholm of the NAACP national office in New York.

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~~PROOF OF INNOCENCE IGNORED AS FLORIDA JURORS~~

# DOOM IRVIN



## Marshall Reveals He'll Appeal Case For Second Time

*America's First*  
**Lily-White, All-Male Body**  
*Backed up by 12 men*

**Deliberates Only 1 1/2 Hours**

**After Matron 'Fingers' Verdict**

By BUDDY LONESOME

OCALA, Fla.—In the face of concrete evidence which, in any other State would have proved him not guilty, Walter Irvin, 34-year-old veteran, was sentenced to death Thursday for his alleged participation in the attack of a young white matron.

Thurgood Marshall, NAACP chief counsel who participated in the case, immediately announced he would file a motion Monday for a new trial—and if that is denied take his plea to a higher court.

Irvin, 34, was sentenced to death for the killing of Mrs. Lawrence Burkhart, a white woman who was attacked while she was walking home from a movie theater. He was found guilty by a jury of 12 men, all white, after a trial which lasted only 1 1/2 hours. The jury was told that Irvin had been shot three times in the chest during the attack.

Imprisonment which was made public Monday, the first day of the trial.

### Flatly Denies Guilt

The youth flatly told his lawyers that "I'm not guilty."

But the youth's gamble was in vain as an all-white, all-male jury ignored testimony which virtually wrecked the State's case, and found him guilty.

The jury ignored also an impressive speech from Marshall on the true legal meanings of democracy. Like Irvin, still evidently retaining some hope for justice, Marshall quietly pleaded for a fair verdict.

"Cases like this are cases that try men's souls," stated Marshall, "but Supreme Court Justice Hall in 1936 described your responsibilities perfectly by stating that our constitution is color-blind."

### No Proof Of Attack

"Our government has decided

that nobody, not even the State, can take a man's life or imprison him except by trial. That's why you're here."

The famed attorney then methodically pointed to the great weakness of doubt surrounding the case. He also reminded the jury that "as yet, no medical proof has ever been offered that the girl was really attacked."

Moving with slow, unerring precision, Irvin's defense counsel — Marshall, Alex Abramson, Paul Perkins and Harry Greenberg — produced two qualified witnesses, who shook the State's case.

1. The matron did not say she was attacked when Pfc. Lawrence Burkhart, a white Floridian now in the Army, gave her a lift the morning of the alleged crime. She knew that Burkhart, last four colored men had kidnapped her and beaten her husband.

When he asked the woman if

it was too dark for her to identify the man,

2. Herman Bennett, a former Federal investigator with 38 years experience in the field of criminology, testified that the footprints identified as Walter Irvin's found at the scene of the attack were taken.

Bennett said the angle and direction of the footprints were conclusive that no "foot marks" in the snow when the tracks were made. He also denied the "impossible testimony."

The jury, however, only deliberated on the case for one hour and 27 minutes before it brought in its verdict of guilty in the absence of rape and three minutes before Circuit Court Judge T. G. McRae pronounced the death sentence.

## First Day Of Trial, Monday, Feb. 11

It was believed that Irvin would have been given an impartial trial when the first day Judge Futch overruled objections entered by his attorney J. W. Hunter to admit NAACP counsel Thurgood Marshall and his assistant, Jack Akerman, and allowed these lawyers to assist at Irvin's trial.

Marshall immediately took command of Irvin's legal defense and moved a motion for change of venue. His first witness to support his motion was Dr. Julian Woodward, representative of the Elmo Research Institute, a public opinion poll. The trial was held before a slightly packed courtroom, with standing room only in the section assigned to colored citizens.

Lowered New Trial Angle  
The downspouts are especially wary of any reference to Irvin's first attempt to get a new trial in November, 1949.

Legal machinery for that trial was dramatically halted when Lake County Sheriff Willis McCall shot and killed Samuel Shepherd, and also seriously wounded Irvin who was handcuffed to Shepherd.

At time of the attack, Sheriff McCall was en route to Tavares, Fla., from Raiford State Penitentiary with Irvin and Shepherd. The men were on their way for a new trial after the U.S. Supreme Court threw out an earlier death sentence which had been imposed.

### Witnesses From Woods

The first witness from his home in Marion County, Fla., was a representative of the Florida Community where colored and white get along well together; that town was chosen as the site where Irvin was more likely to get a fair trial.

The people like Edward Davis, militant City and State NAACP official, the trial of Walter Irvin was a lot of hard, thankless, soul-breaking work.

Another witness, L. C. Blackard, a Negro farm worker from the white section, when he completed his testimony,

said he was satisfactory with little if any prejudice encountered.

This was during testimony on the State's objection to a plea for a change of venue, asked by Thurgood Marshall.

Previous lengthy testimony by Dr. Julian Woodward, research public opinion executive, was thrown out by Judge T. G. Futch after State's Attorney J. W. Hunter called results of a poll taken in the various counties of Florida irrelevant.

### Dentist Damaging Witness

Considered by trained observers to be the most damaging colored witness was Dr. L. R. Hampton, a practicing dentist, considered to be the richest colored man in the county.

"The love and respect the white man has for the colored man and the confidence they have for each other is a beautiful thing to see. I believe that the colored man in Marion County (Ocala) has been treated fairer than in any other county in Florida."

### He Blames 'Hotheads'

When Marshall asked him whether Irvin could walk out of the courtroom unescorted if freed, Hampton grudgingly admitted that some "hothead" might do something."

Before stepping down from the stand, Dr. Hampton remarked that he paid over \$5,000 in taxes to the county. Marshall immediately remarked that he had a vested interest in the county and asked, "you want to stay here, don't you?"

Dr. Hampton then shouted, "I am going to stay here." General laughter from whites in the audience followed this remark and Judge Futch had to rap for order.

After he left the stand, Hampton stopped in front of Jess Hunter and held a short conversation, which again ended in laughter. The man then went back to his seat in the Jim-Crow section of the courtroom.

### Pastor Paints Rosy Picture

The Rev. M. L. Anderson, pastor of Mt. Moriah Baptist Church, testified next for State's Attorney Hunter. He, too, painted a rosy picture of conditions in Ocala and Marion County.

He characterized the whites in Ocala as more liberal than anywhere else in the State. "Only county that I would put up against Jerusalem in Christ's times," about the Rev. Mr. Anderson before leaving the stand.

One church official, when he heard the remark, stated pointedly, "They killed Christ, too, didn't they?"

### Another Witness Testifies

Another witness, L. C. Blackard, a Negro farm worker from the white section, when he completed his testimony,

### Witness Testifies

Answered some things, but

had some others to say.

State's Attorney Hunter then produced a long string of white residents of Marion County who testified they knew of no feeling against Irvin and they were sure he would get a fair trial in the county.

After that, both the State and defense counsel rested their appeals. Judge Futch then denied the change of venue request.

A surprise defense witness in the trial of Walter L. Irvin, 23, accused of criminally attacking a white woman, was his mother, Mrs. Della Irvin, who testified just before court adjourned Monday.

Mrs. Irvin testified that Deputy Sheriff J. Yates came to her home in July, 1949, and arrested her son. The woman said when the sheriff drove up, she told her son he was outside and the boy replied, "Don't worry, Mama, I haven't done anything."

### "Little Black N—r"

The sheriff took the boy with him, however, she said, adding that Yates returned later in the day while she was sitting in a rocking chair on her porch. He came to the porch and bellowed, "I came for the little black n—r's clothes."

The woman said she was terrified and followed the sheriff as he stalked into Irvin's bedroom. After she gave him the clothes, Mrs. Irvin said, she asked him about the trial of her son and Yates replied, "There may not be no damn trial."

As the mother broke into tears, she was allowed to leave the witness stand.

### Lacked Search Warrant

After his testimony was completed, Marshall and Akerman asked that the State surprise as evidence the clothing taken by Yates from Irvin's house. The lawyers based their motion upon lack of a search warrant and Mrs. Irvin's statement that she was frightened of the sheriff.

The State then placed in evidence clothing taken from Irvin's house the next day, own objections of the defense counsel.

Judge Futch took the motion under advisement and said he would rule on it in the morning. Court was then adjourned. The next morning, Judge Futch denied the defense motion to suppress the State's evidence.

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Answered some things, but

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State's Attorney Hunter then produced three of his ten peremptory challenges to remove three colored men from the panel.

The other three minority jurors were excused when announced they already had a

fixed opinion of Irvin's guilt.

In addition to these three who had already "formed a fixed opinion," almost 20 whites were excused after they uttered the same statement.

### Most Minds Made Up

This served to lend sharp credence to the survey results given by Dr. Julian Woodward at Monday's trial which announced that at least 43 per cent of the white residents in Marion County had already predetermined guilty or innocent of Walter Irvin.

Selection of the jury was finally completed shortly after 2 p.m. Tuesday. The picked body included seven farmers, two retired businessmen, a packing house employee, a construction worker and a merchant.

Willie Padgett, young farmer-husband of the attack victim, was the first witness for the State. Padgett testified that he was coming from a square dance in July, 1949, when his car stalled.

### "Hostile" Looks Start Fight

As he got out to try and push the vehicle, he said, another car came out and four colored men got out and offered to help him. The white farmer said the men suddenly stopped pushing the car, and looked at him hostilely.

He became frightened, he stated, picked up a stick and started striking two of the men as they advanced toward him.

While he was fighting the two, another came from behind and knocked him unconscious from a blow on the head, the witness testified. He said when he regained his senses the car was speeding down the road and his wife was gone.

### Witness's Story Differs

After cross-examining the man, Defense Counsel Alex Akerman told him that his testimony differed sharply from that given at the first trial in 1949. Padgett, who was attired in shirt sleeves and khaki pants, replied: "It has been almost three years."

The next witness offered by the State was the alleged victim, who was dressed in a print dress and open red coat sweater. The testimony of the blond, straight-haired, fairly attractive girl was almost identical with that given at the first trial.

She said the man, one of whom she identified in the courtroom yesterday as Dr. Julian Woodward, and informed her

that he was dark-skinned, was a dark-skinned man. Assistant State's Attorney A. P. (Sam) Bule

three of his ten peremptory challenges to remove three colored men from the panel.

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Willie Padgett, young farmer-husband of the attack victim, was the first witness for the State. Padgett testified that he was coming from a square dance in July, 1949, when his car stalled.

The lanky peace officer said he found tire tracks that matched those of the car and Irvin's shoe tracks on the ground on the scene of the attack.

Attorney Sherman argued that Yates was not qualified to take the stand as an expert to testify to reliability of the tracks.

Judge Futch overruled the ob-

jection and adjourned court until 9:30 Wednesday morning.

Newsmen present for the second day of the long hearing include, in addition to the AP, representatives of the Associated Press, New York Post, New York Dispatch, Chicago Defender, Pittsburgh Courier and six Florida dailies.

## Third Day Of Trial,

Wednesday, Feb. 13

Two spectacular bombings were dropped here Wednesday, in the midst of Walter Irvin's new trial.

The first occurred when a white Florida soldier testified that he saw the housewife on the morning after the attack and at that time the woman only complained that some colored men had kidnapped her.

The second dramatic moment occurred when a Florida criminologist stated that tracks allegedly made in the mud at the scene of the attack were made with empty shoes.

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Hunter disgustedly got up and said "You ought to tell the truth once in a while, boy." There being no further questions, the witness was excused.

Herman V. Bennett, ex-Federal investigator and criminologist testified next and after spending almost two hours reciting procedures and his qualifications.

In answer to challenges by the State, Bennett dramatically stated—"there is no doubt that the impressions made at the scene of the alleged attack were made by Irvin's shoes."

#### Explodes Bombshell

The all-white jury leaned back with pleased expression and a satisfied murmur rippled through the white spectators.

Bennett then dropped his bombshell.

"However, investigation has

revealed that the shoe prints were made by someone not wearing the shoes," he added.

Hunter tried to shake the ex-G-men's testimony under cross examination, but Bennett, a former lawyer, remained adamant.

Early in the day Irvin took the stand in his own defense and repeatedly stated that he did not attack the white girl or get in a fight with her husband.

Testifying in his defense, Jones, Irvin stuck to his story in spite of rigorous cross examination by Hunter.

#### Couldn't Identify Men

Lawrence Burtoff testified for convincing Jones that the man who asked him to take her home as her husband had beaten her in the head by four shots.

He asked the girl whether she could identify his attacker.

Irvin, however, examined by defense attorney Charles Obenshain, a demurely dressed young woman, could not identify Burtoff, another man in trouble with the police.

#### Hunter Dissevered

Hunter objected to Hunter's cross-examination — overruled by the judge. Under cross-examination by defense attorney again, the girl said she could not identify him and her husband, who did not mention his name.

She was unwilling to believe that a man would ordinarily testify against his wife for colored men.

"You mean you think there was some girl beaten up in the woods in the middle of the night?"

charge contained in the indictment as read by Judge Finch, it heard a race-baiting speech by Hunter.

He described Pfc. Lawrence Burtoff as a "blasted individual." He justified the attack victim's failure to mention her attack on the white soldier as "She's just a country woman who didn't know Burtoff and didn't want to tell that man she had been abused."

Hunter described the alleged victim as a "poor, cracker girl."

Herman Bennett, ex-Federal investigator who had testified that the marks made at the attack scene were made by shoes which had no feet in them, was called "that man from Miami," by A. J. Buie, assistant state's attorney.

Buie cited Bennett's admitted pay of \$300 a day as paid by the NAACP. He then blasted Bennett's inference that Yates and Campbell themselves.

Thurgood Marshall followed Buie before the jury, and in a short dramatic argument to the all-white jury, he impressed upon the jury the meaning of a democracy.

Before the jury filed back into the room, Judge Finch instructed the spectators to remain seated until the sheriff left the room with Irvin. At 3:37 the jury filed from its chambers and slowly mounted their chairs.

The foreman, Thomas Jones, flatly stated "we find the defendant guilty"—and the die was cast.

The judge called Irvin to the stand, sentence the neat impressive youth to "death in the electric chair, and may God have mercy on your soul."

Irvin was then led out of the tightly packed tense courtroom by Sheriff Harry McCleod.

This makes the second time that Irvin had to undergo the terror of hearing a judge pronounce the death sentence on him. In August 1949, he received the death sentence, along with Samuel Shepherd, for the crime which occurred in July, 1948.

Charles Greenlee, 16, who was also accused of the crime, was sentenced to life imprisonment.

Fourth defendant, Ernest Thomas, was killed by a deputized posse in July shortly after the girl reported her attack.

The second motion for a mistrial occurred when Ackerman objected to the State's Attorney's argument that the defense counsel had, by technicality, kept evidence out of the case.

Judge Finch quickly overruled each motion.

#### Race-Baiting Speech

The jury retired for deliberations at exactly 2:30 p.m.

Before the jury received the

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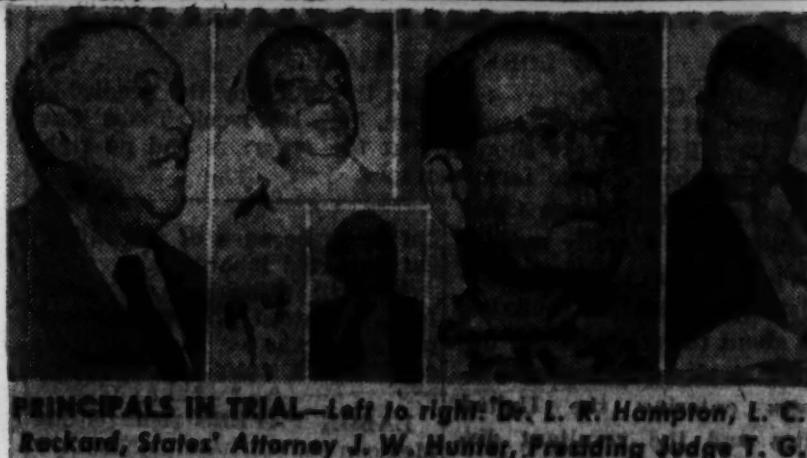
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**Irvin Trial Scenes**—Above scenes were taken during tense three-day trial of Walter Lee Irvin, who was found guilty of rape for the second time in Ocala, Fla., last week. Upper left: Defense Attorney Paul Perkins chats with defendant's mother, Mrs. Delilah Irvin. Lower left: The jury which heard evidence, found Irvin guilty. Right: The defendant talks with reporters from New York papers who covered the trial.



**PRINCIPALS IN TRIAL**—Left to right: Dr. L. R. Hampton, L. C. Rockard, States' Attorney J. W. Muller, Presiding Judge T. G. Futch and Roper Pollister Dale Anderson.

# Groveland Case Headed Back to Supreme Court

By ROBERT M. RATCLIFFE  
(Ocala News Editor)

OCALA, Fla.—Racial prejudice is responsible for the fate of Walter Lee Irvin.

A jury of twelve prejudiced white men sent Irvin back to death row in Florida's Raiford Penitentiary last Thursday evening.

They upheld the testimony of a country white girl who was raped, ignoring completely the fact that the state failed to prove Walter Lee Irvin guilty.

WALTER IRVIN is a Negro. His denial of the charge meant nothing to the jury. The law followed the unwritten law of the South: "A colored man cannot receive a fair trial when he is accused of raping a white woman."

IT WAS the second trial in this case for Irvin. The U. S. Supreme Court ruled that he and Samuel Shepherd be given a new trial after a Florida court convicted and sentenced them to the electric chair in September of 1949.

The now-famous case, boasting a bloody history, dates back to the morning of July 17, 1949, when a white farm girl claimed she was kidnapped and gang-raped by four Negroes after her car had been beaten and driven off the side of a road near Groveland, Fla.

Irvin and Samuel Shepherd, along with Ernest Thomas and Greenlee, were charged with the crimes. Ernest Thomas, the fourth suspect was killed by a posse.

GREENLEE, BECAUSE of his youthful age, was given a life sentence at the first trial.

After the arrests of the three men and the slaying of Thomas, a mob moved on the colored section of Groveland and burned several homes, forcing more than 400 Negroes to flee.

The three prisoners were reported beaten after they were placed in jail cells.

LAW-enforcement officials were quick to point out the second trial was a farce.

Attorney Marshall, upset and stunned by the prejudiced verdict, was one of the first to rush to Mrs. Irvin's side. He embraced her and said:

"DON'T WORRY darling, we're going to stick by you. We are going to keep on fighting."

He fought back tears as he and another defense lawyer, youthful and fearless Paul Perkins of Orlando, Fla., left the courthouse.

Newsmen were brought to tears, too, as they offered consoling words to the grieving mother.

Local whites gathered in groups around the courthouse immediately after the trial and uneasy Negro newspaper reporters and defense attorneys threaded their way through the gathering crowds very cautiously.

THE DEFENSE planned to file a motion for a new trial this week. If the motion is denied the case again will be carried before the State Supreme Court and the United States Supreme Court, if necessary. The case is certain to go before the nation's highest court again on the grounds that Irvin did not receive a fair trial at Ocala.

It was learned from a very reliable source that the state offered Irvin a chance to plead guilty and accept a life sentence last Monday during a secret meeting. Irvin is understood to have refused the offer, saying he would rather stand trial "because I am not guilty." The defendant's four attorneys, Thurgood Marshall, Paul Perkins, Alex Abramson and Jack Greenberg, were present when the offer reportedly was made to Irvin.

Judge Truman J. Futch whittled sticks of wood throughout the trial. At this, he is known to be adept, too, in overruling motions made by defense attorneys.

BEFORE THE jury was admitted to the courtroom to render its verdict, Judge Futch ordered spectators and members of the press to remain in their seats after the decision had been read and the prisoner carried from the courthouse by deputy sheriffs.

Observers were a bit surprised at this statement by the judge, wondering why he would assume that it would be necessary for the deputies to return Irvin to his cell. It was learned that the Ku Klux Klan once burned crosses on Dr. Hampton's lawn, one year ago.

Two "ADVOCATE" copies of the current issue of either mag-

azine, which carry a picture and feature story on the NAACP's legal ace, Thurgood Marshall, were circulated through the courtroom last Tuesday. Both Judge Futch and the ailing state's attorney, J. W. Hunter, spoke highly of the article and Mr. Marshall.

The trial was given wide cov-

erage by the nation's press. Newsmen and women covering the trial represented the Courier, the Chicago Defender, Afro-American, Atlanta Daily World, Interstate Press, New York Compass, New York Post, New York Times, Associated Press, Orlando Sentinel, Tampa Tribune, St. Petersburg Times, Ocala Star-Banner and the Mount Dorah Topic.

A SURPRISE ANGLE entered the case Monday morning as the trial got under way. Judge Futch, over the protests of Prosecutor Hunter, readmitted Thurgood Marshall and Jack Greenberg as defense lawyers in the case. Both Marshall and Greenberg were barred from the case last December. Hunter, at that time, and last Monday, too, referred to Marshall and Greenberg as Northern trouble-makers.

Following this action, Judge Futch denied the defense's plea for a change of venue. Defense attorneys said they felt Irvin would not receive a fair trial in Ocala.

J. L. WOODWARD, research executive of the Elmo Roper Public Opinion Poll, and Dale Anderson of the same firm, presented a survey which was taken in four Florida counties. The survey revealed that the majority of whites in the four counties felt that Irvin committed the crime.

Judge Futch refused to admit the survey as evidence in the case.

SEVERAL PROMINENT Negroes appeared as witnesses for the state, declaring that race relations in Ocala are the best in the country.

Dr. L. R. Hampton, wealthy dentist, declared that there is no other place in the South as good as Ocala as far as Negroes are concerned. Under cross-examination by Attorney Marshall, Dr. Hampton admitted that there is some race prejudice in Ocala. It was learned that the Ku Klux Klan once burned crosses on Dr. Hampton's lawn, one year ago. Other Negroes testifying for the defense were L. C. Rockwood, the Rev. W. H. Johnson and Matt

Robinson.

Seven Negroes were in the jury panel but all were either excused or disqualified. They were Gideon Nixon, Farnest Benton, Charles Sampson, Roosevelt Preston,

Giles Crumpton, Leroy Bell and Solomon L. Shulah.

BOTH THE WHITE GIRL and her husband gave similar testimony telling how four Negroes offered to push their stalled car and then kidnapped the girl after beating and robbing the husband.

The girl and husband identified Irvin as one of the men they saw that night. The girl declared Irvin and three other men raped her on the back seat of an automobile.

The state offered as evidence a cast of a footprint made at the scene of the alleged crime, but this testimony was discredited by a defense witness, Herman V. Bennett, an expert criminologist from Miami. He said, in his opinion, there was no foot in the shoe used to make the footprint from which the cast was taken by a county officer.

THE DEFENSE'S star witness was a white GI, Lawrence Burtoft, who was flown here from Fort Jackson, S. C. He said he saw the girl the morning of the alleged attack. She did not tell him she had been raped, the soldier told the jury. He said she merely mentioned that her husband had been beaten and she kidnapped by some Negroes.

The Jury deliberated one hour and thirty minutes before returning its verdict.

The Governor must set a date for the execution.

8400

**For Second Time**

## FLORIDA NEGRO CONVICTED AGAIN IN '49 RAPE CASE

Sentenced 2d Time to Die

in Electric Chair

Ocala, Fla., Feb. 16 (AP)—A jury of 12 white men today found Walter Irvin, 24, a Negro, guilty of raping a white farmer's wife near Groveland in July, 1949.

There was no recommendation for mercy and Circuit Judge Truman G. Futch sentenced Irvin for the second time to die in Florida's electric chair.

A previous conviction was reversed by the United States Supreme court after defense attorneys contested the verdict on ground that it was not possible to get a fair trial in Lake county where the crime was committed because of public opinion.

### 4 Accused in Attack

The second trial was transferred here in adjoining Marion county by agreement of state and defense counsel.

Four Negroes originally were accused of the rape which brought mob demonstrations, shooting, the burning of Negro houses and national notoriety to central Florida's Lake County. Two have been slain by policemen and the other is serving a life sentence.

There was no demonstration in the crowded courtroom when the verdict was announced. Negroes, who overflowed the gallery and occupied rear seats in the downstairs white section of the court room, predominated in the crowd.

Defense counsel contended in its closing arguments that the state had failed to meet requirements that it prove Irvin's guilt beyond all reasonable doubt. They said the prosecution failed to produce any medical report showing the then seventeen-year-old woman had been raped and had not made scientific tests that were available to prove the pertinent nature of various key pieces of evidence.

**WALTER LEE IRVIN** after his second conviction and sentence to death in the electric chair on a rape charge in Florida last week, tells members of the press that he is innocent of charges. (UPI photo)

## Florida Rape Jury Dooms Irvin Again

Jury of 12 White Men Finds  
Young Negro Guilty

OCALA, Fla., Feb. 14 (AP)—A jury of twelve white men today found Walter Lee Irvin guilty of raping a young white farmer's wife near Groveland in July, 1949.

There was no recommendation for mercy and Circuit Judge Truman G. Futch immediately sentenced the twenty-four-year-old Negro for the second time to die in the electric chair.

A previous conviction was reversed by the United States Supreme Court after defense attorneys contested the verdict on the ground that it was not possible to get a fair trial in Lake county where the crime was committed because of inflamed public opinion. The second trial was transferred in adjoining Marion County

by agreement of state and defense counsel.

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### Taken to Prison

Irvin was taken from the courtroom to the state prison at Raiford by Marion County Sheriff D. L. McRae and his deputies.

Lawyers on both sides asked for a fair verdict based only on the evidence. Defense counsel contended in its closing arguments that the state had failed to meet requirements that it prove Irvin's guilt beyond all reasonable doubt.

They claimed the prosecution failed to produce a medical report

showing the woman had been raped and failed to make scientific tests that were available to prove the pertinent nature of key pieces of evidence.

Prosecutors stressed the testimony of the prosecuting witness who identified Irvin as one of her attackers and her husband who pointed the Negro out as one of the four who overcame him and seized his wife.

Irvin was turned down by the state because we didn't want any blacks in our case."

Burtoft claims he heard the girl scream as she was abducted from in front of his father's tavern. She claims she did not cry out for fear of her life.

Irvin, on the stand at his own request, said he was not in the area when the alleged attack occurred. He stated knowing the man who was killed by the posse or the 16-year-old youth. He said he was in Orlando with Samuel Shepherd. Shepherd was convicted of the crime with Irvin (on), and both were found guilty. The U. S. Supreme Court reversed the decision and saved the pair from the death penalty, but Shepherd was killed by the deputy.

Irvin admitted that shoes and pants introduced as exhibits were his and that he wore them the night of the reported attack. The state claims to have made plaster casts of footprints at the scene of the abduction which match the shoes. The casts were broken in transit.

Herman Bennett of Miami, introduced by the defense as an identification expert, denied the state's claim that the plaster casts were made by Irvin's feet.

Bennett said he examined the casts thoroughly and proclaimed that "In my opinion, there was no foot in the shoe at the time the impression was made."

Hunter asked Irvin to explain the presence of smears on the front of the trousers, and the Negro answered that the smears were not there when he took them off after returning from Orlando. He was arrested the next morning.

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One man was killed by a posse shortly after the incident, a 16-year-old youth was given life imprisonment and another man was killed last November by a deputy sheriff who said the prisoner and Irvin hit him over the head and tried to escape.

State Attorney J. W. Hunter attacked the testimony offered by Burtoft, claiming the serviceman was prejudiced against the state. This charge was denied, and Hunter related that Burtoft's testi-

# Walter Lee Irvin Takes Stand In Own Defense

OCALA, Fla. — (INS) — The State and Defense rested their cases Wednesday in the trial of Walter Lee Irvin after the 24-year-old Negro took the stand in Ocala court and firmly maintained his innocence.

He is accused of raping a white housewife in Central Florida in 1949.

The court adjourned until today after the state indicated it would call several rebuttal witnesses. State attorneys admitted the possibility that the defendant might be recalled in the re-trial.

Irvin was the second witness called by the defense after the state rested its case in a surprise move this morning. He said he was in Orlando the night the attack is said to have taken place 40 miles away.

The defense committee had a surprise of its own. A 23-year-old Army private took the stand to testify that the alleged victim told him she was unable to identify her attacker.

The soldier, Lawrence Dutton, said he was the first to see the girl, then 17-year-old Norma Lee Padgett, when she came into the "Little Scottsboro" courtroom.

Dutton, who is white, held the chief concern over her safety and told of being kidnapped by four Negroes. But the soldier said she did not complain that she was raped.

He also said she had told him she was unable to identify the Negroes because it was so dark.

He took the stand yesterday on the first day of the trial which were sentenced to death. Greenlee, because of his youth, was given life on a road gang.

Irvin said he does not desire to go on trial unless Greenlee and Marshall are permitted to represent him along with Atty. Mrs. Akerman, Jr., naval officer in the Judge Advocate's office, and Paul C. Perkins, who are already acceptable to the court.

Ocala on the eve of the trial with a population of

10,000 of which 1,000 are Negroes, was a scene of racial tension. It was fully expected that the trial would bring out the most intense racial antagonism in the history of the state.

Sunday, the second day of the original trial.

It was charged that the feeling toward Negroes is not much better than in Lake county. They feel that the trial should be moved to a larger city like Jacksonville, Orlando or Tampa.

There is little desire among Negroes here to serve on the jury. They feel that if a Negro does serve on the jury and votes for acquittal, that some harm may come to him.

On the eve of the trial the Florida Ku Klux Grand Dragon Bill Hendrix of Tallahassee, an unsworn but unqualified candidate for Florida governor, said, "We must have a few lynchings to keep law enforcement officers honest 100 per cent protection in the state." He spoke at a demonstration on Lincoln's birthday near Orlando last night.

Irvin, a man passed middle age, was fully dressed in a suit and tie, with arms crossed, sitting in the dock of the courtroom. He carries no political or social status in the small American town of 10,000 miles from Ocala.

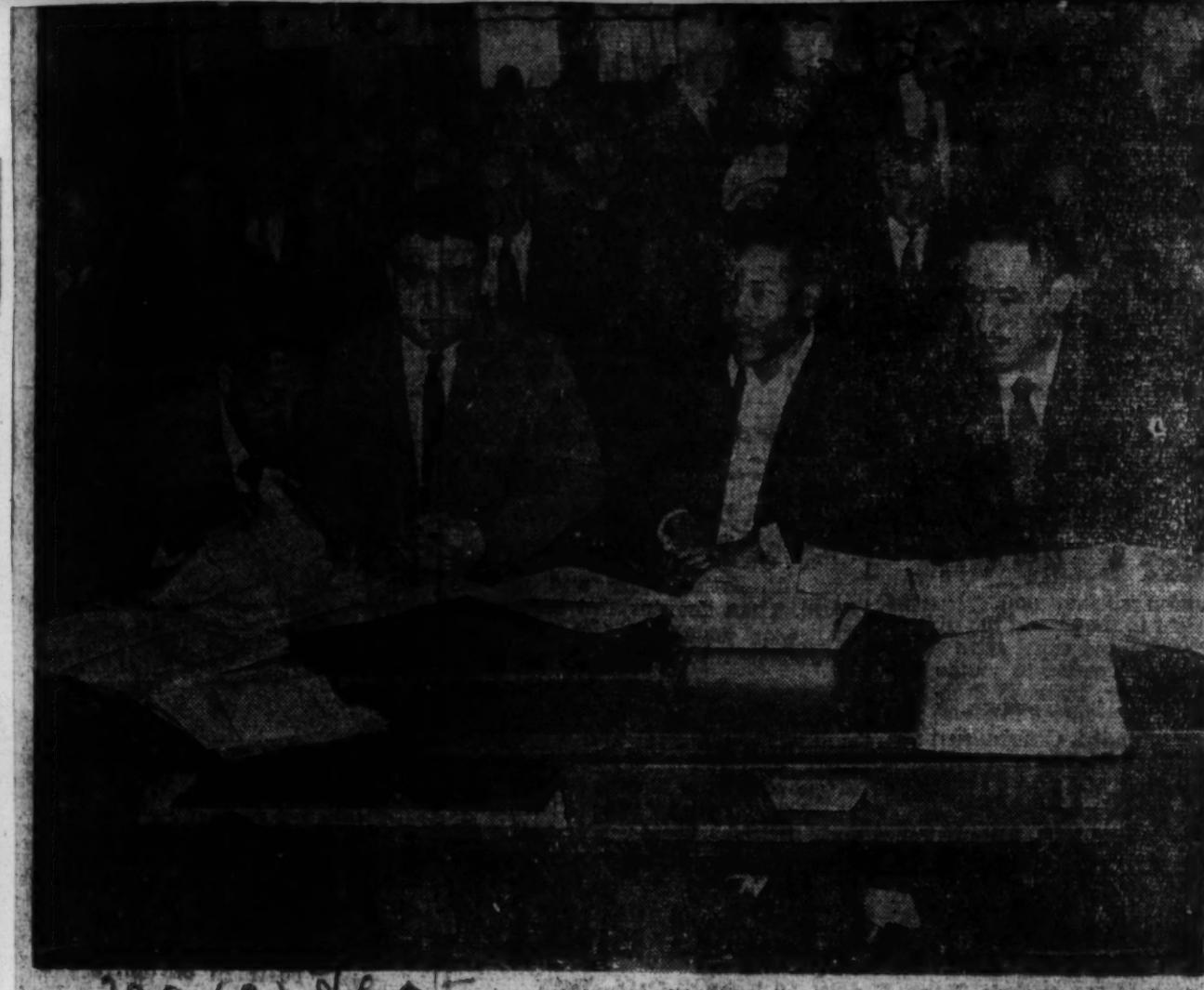
He is the last surviving defendant in the trial which opened last week. The other three defendants were found guilty and given death sentences.

The jury sat for one hour and 32 minutes before returning its verdict.

On Feb. 1, 1949, four Negroes were found guilty of rape and sentenced to death.

Marshall, the Negro attorney, has been fighting for a new trial.

"First," he said, "the Negroes



DRAMATIC COURTROOM SCENE—With only six Negroes on the panel of 100 men summoned for prospective jury service, Florida's "little Scottsboro case" got under way in Ocala, Fla., on Lincoln's Birthday. The courtroom was jammed as the defendant, Walter Lee Irvin, sat unflinchingly while Mrs. Norma Lee Padgett, 19, again accused him of being one of the four Negroes who had raped her in 1949 (of the four, two were murdered by police and one is serving a life sentence). Shown at the counsel table are: (left to right) Paul C. Perkins, Orlando, Jack Greenberg, N. Y. Atty. for the NAACP, the defendant Irvin and chief counsel Thurgood Marshall of the NAACP.

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## Editorial Of The Week

The following editorial, reprinted in full, appeared in the New York Post of February 15, 1952:

*Apology P. J.*  
Lynch Law: Return Engagement"

"An all-white Florida jury yesterday convicted Walter Lee Irvin, last surviving defendant in Florida's 'Little Scottsboro' case.

"It convicted him after one hour and 32 minutes of alleged deliberation following the total collapse of the state's case in this second fantastic come-up disguised as a trial.

"Irvin was found guilty of raping a white woman named Norma Lee Padgett. The verdict was returned in the face of two devastating blows that had shattered the prosecution's already flimsy story.

"First, a Miami criminologist testified that the prosecution had taken a cast of footprints which Irvin allegedly left at the scene of the crime.

"Second, a white GI (now stationed in South Carolina) who was the first to see Mrs. Padgett after

she fled the scene of the alleged rape testified that she never indicated to him that she had been assaulted.

"The jury was apparently unmoved by such disclosures. The state had only two real witnesses—Mrs. Padgett and her husband. But 'white supremacy,' the virtue of Southern womanhood and ancient Southern prejudice supplemented their testimony. Against them Walter Lee Irvin and the attorney for the National Assn. for the Advancement of Colored People were helpless. Prejudice suffocated the courtroom, evidence was irrelevant and justice never had a fighting chance.

"There are higher courts. This verdict was reversed once before; it will be reversed again. The tortured and twisted bigots of Ocala, Florida, have won another skirmish—but the battle goes on. It is late in the day: Americans are fed up with legalized lynch law, whether practiced beyond the Iron Curtain or in a sanctimonious Southern courtroom."

## Leaders Doubt Story Told By Fla. Convict

Prisoner Admits He Overheard Groveland  
Prisoners 'Plotting' on Sheriff McCall;  
Reprieved by Florida Governor

TALLAHASSEE, Fla.—"It smells to high heaven!"

This is the unanimous opinion of Negro leaders in this state—and throughout the nation—over the last-minute reprieve from death granted a convicted white murderer by Florida's Governor Fuller Warren Saturday.

*Delaware, Pa.*

ish ed a white man who victimized or killed a Negro?

No one in official circles would disclose what was in Sheriff McCall's letter to Governor Warren. Nor would anyone give any details of the alleged escape plotted by Shepherd and Irvin in the cell in Death Row.

According to Loyal Compton Warren's side, Lieby was in the cell next to that occupied by the two Groveland boys in Death Row. A former barber in Frederick, Md., Lieby had been con-

Baltimore druggist on the Tamiami Trail in the Everglades in 1949. He was to die Jan. 7 for this crime.

The whole thing is being viewed with considerable skepticism here in Florida, and although it is possible that there may be something to it, nobody puts much faith in the truthfulness of the report. *Now do they allegedly tried to escape? Shepherd was killed and Irvin seriously wounded.*

But this new and bizarre turn in the now-notorious Groveland case has lips buzzing from coast-to-coast.

*POINTED QUESTIONS* *Fla.*  
Negro leaders—and a large number of fairminded whites, too—are asking these pointed questions this week:

1. Why did Merlin James Lieby take sixty long days to reveal his "knowledge" of the alleged "escape plot?"
2. What did he hear—if anything—and what specifically did he tell Sheriff McCall?
3. What assurance is there this is not a "pin-up" job to maintain Florida's long record of never having pun-

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Florida

## Flimsy Rape Evidence Sends Youth to Chair

TALLAHASSEE, Fla.—In spite of flimsy evidence adduced by the prosecution, 17-year-old Abraham Beard was condemned to death and sent to the electric chair here Friday afternoon in the Leon County Court House.

Young Beard, a semi-literate and one of twenty-one fatherless children, was found guilty of rape of a 52-year-old white woman who charged that he had broken into her room and assaulted her twice after beating her on the night of Aug. 21.

EVIDENCE PRESENTED was the testimony of the woman, some clothes believed to have belonged to Beard and a footprint found near the house. A confession, purportedly made

by Beard, in which highly technical expressions were continually used and written with the coherence of a highly educated person, was also presented in evidence by the sheriff, who served in the capacity of a witness for the state as well as an officer of the court.

For the first time in the history of Leon County, two Negroes were listed as prospective jurors. C. P. Allen asked to be excused because he was a minister and had a funeral scheduled for the day of the trial. Jerry Nash was not called.

Several persons testified that they had seen the accused youth in the center of the city during the night of the crime between the hours of 7:30 and 11 o'clock. The victim testified she had been attacked about 10:15 P.M.

THE SCENE of the crime is about a mile and a half from the city limits. It takes a car about fifteen minutes driving moderately to reach the home of the victim from the section of the city in which Beard lives. Beard doesn't own a car.

No information has been available thus far concerning the identity of a local witness.

Attorney Williams, a court-appointed lawyer, was the counsel for the defendant.

## Youth, 17, Sentenced To Death

*Delaware, Pa.*  
NAACP Defense Is  
Barred; Mother Of  
23 Children Tearful

(Special to Journal and Guide)

TALLAHASSEE, Fla.—A 17-year-old boy Friday afternoon heard Judge W. May Walker sentence him to death in the electric chair.

An all-male all-white jury of fifteen men and four women found Abraham Beard guilty of criminally assaulting a 52-year-old white woman Thursday night, August 21, in her home about three miles west of the city.

*10-4-52*  
THE NAACP was barred from defending the youth. Court Appointed Attorney Howard Williams, was granted 15 days in which to file a motion for a new trial.

The youth muttered something about wanting another trial when Circuit Judge Walker asked if he had anything to say before sentence should be pronounced. Judge Walker told him he had been given an impartial trial and was ably represented by Williams. Judge Walker called the offense "terrible, terrible," and said it was inexcusable.

MRS. SAVANNAH BEARD, 52, mother of the accused youth told court that she had reared 21 children and due to the injury of her husband most of her chil-

dren had to quit school and help out. She said Abraham has always been a good boy. Aiding the family with the little monies he received delivering milk and newspapers.

Delayed Thursday morning by an attempt on the part of the NAACP to intervene, trial began at 2:00 p.m. the same day in Leon County Court House. When Circuit Court convened a Negro attorney, Paul Perkins of Orlando told Judge Walker that he desired to enter the case as a representative of the NAACP, and asked for a continuance in order to prepare his case. He said he had been notified of the case only two days ago, and did not arrive here until Wednesday night.

*THE WHITE ATTORNEY*, who had been previously ascertained that they had reached a verdict, state trooper came to the witness room where an Interstate Press man was conferring with Mrs. Beard and her son Wallace and said to the mother, "jury is about to announce the verdict. Do you want to go up in the balcony so you can hear what they have to say?" She replied, "No, sir."

After adjournment, a passer-by yelled to a man leaning out of a Court House window, "What was the verdict?" Reply, "the darky got the hot seat."

"Well, that's the best way out, I reckon. After all, it will save the boys a job."

*AT HER WELL WORN* and weather beaten three-room dwelling in the rear of 826 West Virginia street, Mrs. Beard, surrounded by number of her children and grandchildren, with tears in her eyes, Friday night pitifully stated to an Interstate Press Man "Lord please help my boy - Now I sure want the NAACP help him appeal his case. The NAACP can help him. Please friends please don't let my boy die."

# Irvin Appeal Filed With Fla. High Court

TALLAHASSEE, Fla. — An appeal from the second conviction and death sentence of Walter L. Irvin, surviving defendant in the tragic three-year-old Groveland case, was filed here in the

The NAACP brief says: Supreme Court of Florida by attorneys for the NAACP.

"From start to finish the trial below denied . . . (Irvin) the fairness and justice which our Constitution and this court accord all litigants, especially defendants in capital cases."

The NAACP asserts that "the denial of change of venue, the prejudicial admission of improper evidence, and refusal to admit admissible evidence, compounded by prejudicial argument and the refusal to grant necessary instruction," all conspired "to deny the defendant his constitutional rights."

The Groveland case made headlines from its beginning in July, 1949, when a wave of terror flared up in the central Fla. area after four colored men were accused of the attack of a 17-year-old farm wife.

One of the men, Ernest Thomas, was shot and killed by a sheriff's posse; the other three were tried in an atmosphere of tension and were convicted. Charles Greenlee, the youngest, was given life imprisonment and did not appeal. Irvin and Samuel Shepherd were sentenced to death.

On the eve of the scheduled new trial ordered by the U.S. Supreme Court when it reversed Shepard's and Irvin's convictions, Shepherd was shot to death on a lonely Florida road by Sheriff Willis McCall, who seriously wounded Irvin.

Irvin was subsequently tried and convicted again and the NAACP is now appealing this second conviction. Attorneys representing Irvin are Alex Akerman Jr. and Paul C. Perkins of Orlando, and Thurgood Marshall, Jack Greenberg, and Elwood W. Chisholm of the NAACP national office in New York.

## Negro Exclusion From Grand Jury Case To Be Fought To Supreme Court

With a new morals charge refiled against Alfred Dowell, 26-year-old Navy veteran, defense attorney James I. McCain, said in an interview this week that he is preparing to fight the case all the way to the United States Supreme Court.

The second charge against Dowell, formerly of Kenner, was filed last week by Asst. Dist. Atty. George Guillotta, executive officer, who added that the new rape charge would be placed before the new grand jury which Judge O'Hara ~~had~~ <sup>last</sup> September but which contains no Negroes. The new grand jury is expected to meet this week.

It was Judge O'Hara who upheld a defense protest several weeks ago that Negroes had been systematically excluded from the grand jury which indicted Dowell. The judge based his opinion on testimony from a parade of both leading white and Negro citizens who declared that in their many years of residence in New Orleans, no Negro had ever served as a grand juror.

Chiefly among them was Judge Bernard Cocke who was called to testify by Defense Attorney McCain. Judge Cocke said during the 30-odd years in which he has served as assistant district attorney, district attorney and criminal courts judge, only once had he seen a Negro in the grand jurors' box. That person was a light-skinned person, who later voluntarily revealed his race.

The judge said among other things:

"The defendant's contention in this case, among other things, is that the omission of Negroes from the grand jury continuously for 30 years and more, and for the 16 years that Negroes have been placed in the jury wheel, considering that many of them are legally qualified to serve on the grand jury, establishes a case of intentional and systematic exclusion of Negroes from grand juries in locality, in violation of the 14th amendment, according to the decisions of the U. S. Supreme Court, which declared under the

facts and circumstances stated above, that chance and accident alone does not explain the continuous omission of Negroes hence the continuous omission of Negroes must be the result of intentional and systematic exclusion of Negroes from the grand juries in the locality; that there is nothing herein to differentiate the selection of the grand jury that returned the indictment herein from the continuous succession of grand juries from which rosters Negroes were consistently omitted".

Dowell's case dates back to July 5, according to the charge, when a white woman accused him of criminally assaulting her at the corner of Gov. Nichols and St. Claude on the street.

The state contends that on several days later he went to a certain location on Canal Street by appointment as result of a phone call presumably from the victim, who in turn had tipped off police who made the arrest.

He was charged on July 10 and was subsequently indicted by a grand jury headed by foreman Robert Walmsley on which there were no Negroes.

Defense Attorney McCain attacked the indictment on the theory that the indictment was prejudicial because no Negroes were on the jury and his protest was upheld by Judge O'Hara.

Dowell, who is unmarried, is a native of Franklin. He was living in Kenner, unemployed, at the time of his arrest, coming here from Fort Worth, Texas.

Throughout the case he has emphatically denied his guilt.

## Federal Grand Jury Considers 2 Cases

JACKSONVILLE, Fla. — (Special) — The Federal Grand Jury was called back into session here Wednesday to consider two cases in which complaints had been made to the Department of Justice that civil rights of colored people have been violated.

In charging the jury, Judge Bryan Simpson said he had called the group back at the request of the United States attorney general to hear evidence relating to the shooting of two colored men charged with robbery while woman and another colored man held in jail in Hernando County for more than a year without a charge against him.

Judge Simpson stated that complaints concerning the two colored men who were shot were made against Lake County Sheriff Willis McCall and Deputy Sheriff J. L. Yates while the complaint in behalf of the colored man held in jail was lodged against State Attorney Jess Hunter of the Sixth Judicial Circuit.

Infamous Groveland Case

Judge Simpson told the jury that two of four colored youths accused of raping the wife of a Groveland farmer in 1949, Samuel Shepherd and Walter Lee Irvin, were convicted and sentenced to death on the rape charge and were granted a new trial by the United States Supreme Court because no names of colored persons were in the Lake County jury box.

The charge against McCall and Yates, Judge Simpson explained, is that one or both of them shot the two prisoners to prevent them from receiving a trial by jury, thereby depriving them of their civil rights as guaranteed by the Constitution.

Coroner's Jury Finding

Judge Simpson went on to say that if the law enforcement officers shot in self defense there was no violation of the colored youths' civil rights. That was the finding of the coroner's jury which inquired into the shooting at Tavares last year.

The complaint against State Attorney Hunter, Judge Simpson stated, involves the civil rights of David McKinley Reese, Reese and another colored man, William Timmons, were tried in Brooksville on a charge of first degree murder and at the close of the testimony Hunter asked the court to direct a verdict of not guilty as to Reese, which was done.

Judge Simpson said that at the time the state attorney asked that the murder charge against Reese be dropped he also requested that the man be held in jail for more than a year without any legal proffered his release.

ceeding against him before Hunter

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# **Still Maintains He Is Innocent**

*Ch* other Pictures, Page 55, 1,001 to 1,000,000  
By ARTHUR LE MIRE, 1921, 100 pages.

OCALA, Fla.—“We the jury find the defendant guilty. Thus ended the second trial of Walter Lee Irvin accused of raping a 17-year-old farm housewife—a crime for which two Negroes have already paid with their lives and are sentenced to a road camp for life.”

The all-male, all-white jury found Irvin guilty after two hours and 23 minutes of deliberation. Automatic death sentence goes with the verdict. The date of execution has not been set by the prosecution.

Levin's mother was in the jury gallery of the courtroom when the verdict was given. She broke down when it was read. Friends and spectators jammed to standing room the hot, close-ceiling balcony daily, tried to comfort her.

chief counsel announced immediately after that a motion for a new trial would be filed Monday in Tavares, Fla.

The defense made a motion for a mistrial on the grounds that the state prejudiced the jury in its summation by inferring that defense attorneys withheld evidence from the state. The motion was denied without debate.

On the second day of the trial it was rumored that the state suggested a deal with Irvin's lawyer.

whereby he would plead guilty and be given a sentence of life imprisonment.

The four-day trial began on Monday with Judge Truman G. Puthen over-ruining State Attorney's objection to admit Thurgood Marshall and Jack Greenberg, assistant special counsel. Alex Akerman and Paul C. Perkins, both of Orlando, were the other defense attorneys.

The defense motion for a change of venue, however, was denied by

the court. Irvin's attorneys contend that he could get a fair and impartial trial in Marion county. Negro citizens in Ocala are suspicious over the statements of six Negroes who testified that there is no prejudice in Ocala and that Walter Irvin could get a fair and impartial trial.

Irvin took the stand in his own behalf and stuck to his original testimony given in 1949. He said he did not see either the girl or her husband on the night she testified the crime was committed. He and Shepherd had gone to a night club in Orlando that night, he testified.

The defense lawyers produced a witness who did not testify in the first trial. He was Lawrence Burtoff who swore that he picked up the girl on the road the morning of the alleged crime.

He said she told him she had been kidnapped but said nothing to him about being raped. Also, he said, the only injury she had was a scratch on her knee she got from a barbed-wire fence.

The girl testified she said nothing to Burtoff about anything.

The other chief witness for the defense was Herman V. Bennett, an ex-FBI man and an expert in criminology, who told the court that the casts of the footprints of the shoes Irvin is supposed to have worn when he committed the alleged crime were made with no foot in the shoes.

Early in the trial Dr. Julian L. Woodward and Dale Anderson, both state's witnesses, gave the same stock answer as in the first trial. They all collaborated the girl's and state's stories.

Throughout the trial Irvin was expressionless and calm. There were many wet eyes in the Negro gallery when he was led out once again by the sheriff. He was taken to the state penitentiary at Raiford where he will be kept in "death row."

On his way out of the courthouse Thurgood Marshall met Mrs. Irvin in the lobby in tears. He threw his arms around her.

"Don't worry, honey," he told her. "With the faith of our people and the grace of God we'll be back."

grave concern over the welcome parade staged here by the white-robed Klansmen here. "We're going to the trial," Mr. Marshall said.

Meanwhile, Walter Lee Irvin is still nursing the wound inflicted on him by Lake County Sheriff Willie McCall last November at the same time when Sheriff McCall shot and killed Samuel Shepard, the other Groveland defendant. Irvin was scheduled to go on trial Monday morning in the second trial which had been ordered by the U. S. Supreme Court.

Irvin is being defended by Florida Attorneys Paul Perkins and Alex Akerman of Orlando.

The defense was expected to ask the court for a second change of venue, the trial already having been switched from Tavares to Ocala. The trial was scheduled to start immediately following a decision on this request by the defending lawyers.

An air of uneasiness hung over this town as time for the trial approached.

The Groveland case has been a bloody affair. Overnight it developed into a bombshell packed with race hate and Nazi-like tactics.

Dating back to 1949, when a 17-year-old white girl accused four Negroes of raping her, the case touched off a tempestuous riot of night rides and home burnings by hooded mobs of whites in the Negro section of Groveland.

Helpless and defenseless Negroes had been fired on, beaten, and their homes burned to the

## Second Groveland Trial Starts in Florida

ORLANDO, Fla.—Florida's Ku Klux Klansmen turned out here Saturday night in a rip-roaring welcome parade for NAACP lawyers Thurgood S. Marshall and Charles Greenberg, on their way to nearby Ocala, where the second Groveland Criminal trial opened yesterday Monday. They wounded Walter Lee Irvin in a pre-trial justice strain.

Both Marshall and Greenberg are key figures in the second Groveland trial because defense counsel is asking that their government from the case be removed and they be permitted to participate in the trial.

ground before members of the State Militia moved in and evacuated approximately four hundred of them.

All of this happened while mobs and a posse scoured the county in search of the four men accused of raping the girl. During the search, one of the four suspects was shot to death in a swamp near the town by what was described as a posse.

The other three suspects, after they had been seized, were reported beaten and tortured. The three prisoners also were reported beaten after they had been imprisoned.

Ernest Thomas was killed in the swamp before being given a chance to stand trial.

Charles Greenlee, another of the four rape suspects, was given a life sentence at the first trial because he was only 16 at the time. His sentence was not appealed.

Walter Lee Irvin and Samuel Shepard, the other two suspects, were convicted and sentenced to the electric chair. Both appealed to the U. S. Supreme Court, and a new trial was ordered.

Tavares was the scene of the new trial last November. Sheriff Willis V. McCall was motoring Irvin and Shepard over a country road to the Tavares courthouse when it happened again. More blood.

The sheriff shot and killed Shepard and wounded Irvin. Both men were handcuffed. He said the two prisoners tried to escape.

The slaying of Shepard was called an outright lynching by democratic people in all sections of the world.

Irvin survived the shooting and because of pressure brought by the NAACP, his trial is being held here in Ocala. A Florida judge agreed that it would be almost impossible for Irvin to receive a fair trial in Tavares after the roadside slaying by the sheriff.

Helpless and defenseless Negroes had been fired on, beaten, and their homes burned to the

for Irvin and Samuel Shepard was killed last year by Sheriff McCall, in whose car Irvin was en route to the new trial. Irvin also shot by the sheriff survived.

## Irvin Seeks 3d Trial In Florida

### Attorney Lists 22 Errors In Petition

OCALA, Fla.—Walter Lee Irvin, twice convicted by unanimous juries of "raping" a young white woman, continued his fight for freedom and justice today when Paul C. Perkins of Orlando, one of the attorneys retained for his defense by the NAACP, filed a petition for his third trial last week through his attorney, Paul C. Perkins.

The petition filed by the Orlando lawyer charges that the Circuit Court here, which sentenced Irvin to die following his latest trial, committed 22 errors, including denial of a motion for disqualification of State's Attorney Jess Hunter.

In addition to charging Hunter with making an "improper and prejudicial argument" at one point in the trial, the petition alleges that the court erred in permitting the victim and her husband to testify, over defense objections, to a conversation about the alleged attack.

#### Barring of Survey Hit

Also attacked by the retrial motion as an error on the part of the court was its refusal to permit Dr. Julia L. Woodward to offer testimony on the result of an Elmo Roper public opinion poll o. the case.

Findings of the poll would have aided the defense in its attempts to prove that the court should have granted the motion for a change of venue; that it was impossible for Irvin to obtain a fair and impartial trial here.

After convictions of Irvin and Samuel Shepard in their first trial were set aside by the U. S. Supreme Court and a new trial ordered, Shepard was slain and Irvin wounded almost fatally by Sheriff Willis McCall as he was returning them to Tavares for a hearing in the second trial.

#### Marshall, Greenberg Sign

Joining Mr. Perkins in the filing of the motion were Alex Akerman Jr. of Orlando and NAACP special counsel and assistant special counsel, Thurgood Marshall and Jack Greenberg.

Irvin was originally convicted in 1949 along with Shepard and Charles Greenlee. Irvin and Shepard were sentenced to death and Greenlee, then 16 years old, received a life sentence. A fourth man, Ernest Thomas, was shot to death by a deputized mob before the trial.

On appeal to the U. S. Supreme Court, a new trial was ordered

for Irvin and Samuel Shepard

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# Trial Set Back; Tensions Mount

Ratcliffe Reports on Florida Developments as 'Terror Reign' Continues

## Leaders: To Hell With the Klan!

B-U-T-L-E-T-I-N!

Three of the nation's most militant leaders in the deep South, Atty. Harold Flowers of Pine Bluff, Ark.; James Hinton of Columbia, S. C., and G. D. Rodgers of Tampa, Fla., have received threats on their lives by letters signed "K.K.K." As a man they have defied these threats and announced publicly they will continue their work toward racial equality.

By ROBERT M. RATCLIFFE

(Courier News Editor)

MIAMI—The rather sudden postponement of the trial of Walter Lee Irvin in the now-famous Groveland "rape" case failed to shift the national spotlight from terror-stricken Florida.

Events closely associated with the Groveland case took form in this fashion last week:

1. Circuit Judge T. G. Futch sent Walter Irvin's trial from Monday of this week to the first week in February because a principal witness for the state was unable to appear. DeLand will be the scene of the trial.

2. G. D. Rodgers Jr., Tampa real estate broker and insurance executive, revealed that he had received a KKK note threatening his life and that of his daughter if he didn't leave the state within forty-eight hours.

3. Attorney-General J. Howard McGrath in Washington said the FBI had been "given complete and unlimited authority" to track down persons responsible for recent violence in Florida.

Also in Tallahassee, Gov. Fuller Warren received a message from the NAACP's Harry T. Moore and his wife, Harriet. Mrs. Harry T. Moore was buried Tuesday at the side of her husband in Miami. Her funeral was held exactly nine days after the assassination of her husband.

The Moores had planned to

spend the Christmas holidays at home to celebrate their twenty-fifth wedding anniversary with one of their daughters when the blast occurred.

Surviving Mrs. Moore are her mother, Mrs. Annie Warren Sims; two daughters, Annie and Evangeline Moore; two sisters, Annie Mae Sims and Baller Corbet; four brothers, Sgt. George Arnold, David and Ruppert Sims.

The Sanford Hospital, which treated Mrs. Moore, was privately owned by a white organization. Dr. Starke is the only Negro on its staff of fifteen physicians. Forty per cent of the patients are Negroes, who are separated from the whites, but receive the same care, according to the facilities for which they are paying.

Mrs. Moore occupied a semi-private room and was under the personal care of Dr. Starke.

### From Late Editions of Yesterday's Times FLORIDA KILLER REPIRIED

Told of Overhearing Escape Plot by Two in Groveland Case

TALLAHASSEE, Fla., Jan. 4 (UPI)—A Maryland barber was reprieved from the electric chair today on the basis of a story that he overheard the two accused Negro defendants in the Groveland rape case plotting an escape from a sheriff who later shot them, saying they tried to escape.

The surviving Negro declared that they did not try to escape, but were shot in cold blood by the sheriff. The shooting was on Nov. 6.

Merlin James Lundy of Frederick, Md., was convicted of murdering a Baltimore druggist in 1949 and dumping his body under a bridge on Chesapeake Trail through the Everglades. Gov. Fuller Warren granted him a temporary stay of execution with no time limit at the request of Sheriff Willie McCall, who shot the Negro. Governor Warren's aide, Loyal Compton, said that the reprieve was granted on the basis of a letter from the sheriff.

Sheriff McCall was cleared by a coroner's jury, which ruled that he shot in self defense. The Federal Bureau of Investigation is still investigating the case.

The Moores had planned to

# SIX Negroes on List Were Dismissed

OCALA, Florida — (SNS) — A jury composed of 12 white men was chosen Tuesday to decide the fate of Walter Lee Irvin, 24, being retried here, on charges of raping a 17 year-old white housewife in 1949 near Groveland, Florida. 2-15-52

It took more than three hours to select the jury from the 100-man venire. Six Negroes on the jury list dismissed.

The defendant, Walter Lee Irvin and Samuel Shepherd were convicted of the alleged crime and received death sentences. But the U. S. Supreme Court reversed the decision on the grounds that the accused men were not given a fair trial.

The case attracted national attention two years ago when one of the rape suspects was shot dead by a posse which sought out the alleged rapist in Central Florida. A 16 year old defendant, Charles Greenlee, was given a life sentence because of his age.

Samuel Shepherd was shot to death last November 6, by Lake County Sheriff Willie McCall. He and Irvin were being transported with handcuffs on them, to another prison for a hearing on the new trial. The sheriff, who was drunk, shot the Negro in the head when they tried to escape.

Irvin, who was shot to death by Sheriff McCall, claimed that in cold blood and that Shepherd was killed at the same time. His accusations went unheeded by a coroner's jury which cleared Sheriff McCall of the homicide.

### CHANGE OF VENUE DENIED

Attorneys for Irvin sought to gain a second change of venue for the trial, but their request was denied by Circuit Judge Truman G. Futch. He declined to move the trial further away from Lake County where the crime took place because of emotional and nervous conditions of the community.

The second trial was transferred here in adjoining Marion County by agreement of state and defense counsel. At the outset of this trial Judge Futch denied a defense motion to take it even farther away.

Irvin, was also disallowed to have Futch.

The prosecutors objected to the finding of the poll, contending that it was based upon hearsay. Lawyers commented that it was

the first time that the question has been raised in the nation and might form the basis for an appeal to the United States Supreme Court. Irvin is convalescing.

The defense attorneys representing Irvin, are Paul C. Perkins of Orlando, Florida, Jack Greenberg of New York City, Thurgood Marshall and Alvin Akeyman of Orlando. Th.

Greenberg and Marshall were admitted to the case by Supreme Court over the objections of State Attorney J. W. Hunter, who demanded the visiting lawyers were not members of the Florida Bar and have no right to practice in a Florida Court.

### Negro Found Guilty Of Raping Farm Wife

OCALA, Fla., Feb. 14 (UPI) — A jury of 12 white men today found Walter Irvin guilty of raping a young white farmer's wife near Groveland in July, 1949.

There was no recommendation for mercy and Circuit Judge Truman G. Futch immediately sentenced the 24-year-old Negro for the second time to die in Florida's electric chair.

A previous conviction was reversed by the United States Supreme Court after defense attorneys contested the verdict on ground that it was not possible to get a fair trial in Lake County, where the crime was committed, because of inflamed public opinion.

The second trial was transferred here in adjoining Marion County by agreement of state and defense counsel. At the outset of this trial Judge Futch denied a defense motion to take it even farther away.

# GROVELAND CASE MAY REVEAL NEW EVIDENCE

Wanted  
Dues. 2-12-52

## Marshall Talks To Newsmen

### On Way To Attend Irvin Trial

BY ROBERT E. JOHNSON

ATLANTA, Georgia — (SNS) —

NAACP Attorney Thurgood Marshall, interviewed here late Saturday as he awaited Florida-bound air transportation, told Atlanta newsmen that he will offer a sensational new development in the forthcoming trial of Walter Irvin, remaining defendant in the widely-publicized Groveland "rape" case.

In an informal press conference at an Auburn Avenue business establishment, the chief counsel of the NAACP said he would also make another attempt to represent Irvin, whose trial is set for Monday morning at Ocala, Fla.

Irvin, shot by Sheriff Willis McCall on a deserted rural road last November 6 on the eve of a retrial ordered by the United States Supreme court, asked Attorney Marshall to represent him in the trial.

State Prosecutor Jess Hunter objected to Attorney Marshall as defense council and his objection was sustained by Trial Judge Truman J. Futch. The prosecutor's objection to Marshall's entering the case was made on grounds in which he charged that the NAACP stirred up trouble in the community.

Attorney Marshall, commenting on Judge Futch's action which bars him from giving counsel to Irvin, said "the charge is without foundation in facts."

"I'm prepared to place a written motion before the judge to be admitted as a trial attorney in Irvin's defense," Marshall said. "If the motion is denied, I will appeal and keep appealing until I reach the Supreme Court—if necessary," he added.

#### OUTLINES STEPS

Attorney Marshall then outlined three major steps which will be taken in Monday's trial proceedings:

1. A contempt action against Sheriff McCall.
2. A civil damages suit against the Sheriff.
3. A civil suit against the county.

Irvin, now recovered after escaping death that was the fate of his defendant-companion Samuel Shepherd whom the Sheriff shot and killed, will go on trial at 9 a.m. Monday before Trial Judge Truman J. Futch. The new trial was ordered by the U. S. Supreme Court.

Walter Lee Irvin,  
Frantic, Upset  
But Hopeful

RALEIGH, Fla. — Walter Lee Irvin, appealing his sentence to die for allegedly attacking a white woman who walked a day to tell chain smokers as he fights against the electric chair. A colored Duval County deputy sheriff told the AP this week that the condemned man asks each of his visitors, "What are my people doing for me?"

The sheriff described Irvin as being "frantic, upset, nervous but still hopeful" that he may still win his freedom.

He said that Irvin catches the bars of his cell when protesting his innocence and asks what the NAACP and other organizations are doing for him now.

## In the South

OCALA, Fla., Feb. 15—(AP)—Walter Lee Irvin was back in the Florida State Prison death house today after his second conviction of raping a young white woman. His lawyers plan a new fight to save him from the electric chair. A jury of 12 white men late yesterday convicted the 24-year-old Negro of helping three others seize the 17-year-old girl from her farmer husband July 16, 1949, and raping her. There was no recommendation for mercy, which made the death sentence mandatory. Circuit Judge Truman G. Futch immediately pronounced the sentence. Irvin's lawyers said they will file a motion for a new trial Monday.

## Verdict Contrary To Law

### NAACP Says Rights Of Convicted Man Denied By Court

OCALA, Fla. — Walter Lee Irvin, twice convicted by all-white juries of "raping" a young white farm wife, continued his fight for freedom and justice this weekend. Irvin and Shepherd were sentenced to death and Greenlee, then 16-years-old, received a life sentence. A fourth man, Ernest Thomas, was shot to death by a deputized mob before the trial. On appeal to the United States Supreme Court, a new trial was ordered for Irvin for freedom and justice this weekend. Shepherd was killed as Paul C. Perkins of Orlando, one of the attorneys retained for Irvin, also shot by the sheriff, died. Colored People, filed a motion for a new trial in the circuit court here.

The motion, filed four days after the second conviction and death sentence, contends that the verdict was contrary to the law and the evidence and cites 22 grounds upon which a third trial is asked. Errors of the court, the petition asserts, denied Irvin "a fair and impartial trial as guaranteed to him by the Constitution" and deprived him of his constitutional right to "life and liberty."

Among errors of the court cited in the motion were failure to suppress certain evidence of questionable validity, denial of a motion for change of venue, rejection of the testimony on the findings of the Roper public opinion poll in Marion county, admission of hearsay evidence,

acceptance as evidence of shoe prints allegedly made by Irvin, and denial of a defense motion for a mistrial because of the improper and prejudicial argument of the state's attorney.

Joining Mr. Perkins in the filing of the motion were Alex Akerman, Jr., of Orlando, and NAACP special counsel and assistant special counsel Thurgood Marshall and Jack Greenberg.

Irvin was originally convicted in 1949 along with Samuel Shepherd and Charles Greenlee. Irvin and Shepherd were sentenced to death and Greenlee, then 16-years-old, received a life sentence. A fourth man, Ernest Thomas, was shot to death by a deputized mob before the trial. On appeal to the United States Supreme Court, a new trial was ordered for Irvin for freedom and justice this weekend. Shepherd was killed as Paul C. Perkins of Orlando, one of the attorneys retained for Irvin, also shot by the sheriff, died. Colored People, filed a motion for a new trial in the circuit court here.

## Revell Sentence

### In Rape-Assault Charges Here

A 32-year old man whom Prosecutor Bill Hall called "dangerous sexual pervert and fiend" was sentenced to twenty years in prison last night for the rape-assault of a 47-year-old woman.

Judge Ralph Pharr sentenced Willie Henry Revell in Fulton Superior Court. He was accused of attacking the woman on September 7 beneath a vacant house on Sun-  
Avenue.

Defense Attorneys Jesse and Edwards immediately filed a motion for a new trial. Judge Pharr scheduled a hearing on the motion for October 1.

Revell, a mulatto, brown-skinned man, contended in his unsworn statement to the court that it was a case of mistaken identification. At the time of the attack, he said, "I was on the corner of Hunt-  
and Ashby Street."

Prosecutor Bill Hall charged in summary to the jury that Revell's defense was a "concocted fabrication." He told the jurors if they acquitted Revell, "he will be a fugitive, or no man will be safe on the streets."

The victim accused Revell of attacking her under a vacant house. She grabbed him from behind, she said. Revell whacked her clothes from her body and forced her to the point to submit to unnatural sexual acts. Well, she continued, slashed several times with a knife. Both relatives of the woman said Revell has "peculiar eyes." Detective W. D. Browning came to testify that prison clothes found in the abandoned house were definitely identified as Re-

**REVELL CRIMES**

Chief Defense Counsel Jesse Edwards denied that Revell committed the crime. He placed a local monkey on the stand who testified that at about 7:30 or 8 p.m. the night of the crime Revell approached him with a pair of pliers which the latter was using to sell.

The defense further offered witness who testified that the perpetrator of the crime was tall and thin. He opined that the man was tall and black as soot.

One witness said the rapist had a mustache. He opined that the man was tall and black as soot.

At the preliminary hearing in Revell's court, he denied the charges.

Sheppard was accused of burglarizing Cox Foundry and Machine Co. and R. A. Higgins' business twice each and seven other Atlanta companies. The burglaries dated back to July 25.

None of the alleged crimes occurred in September, two in July and three in August.

In other actions, the 23-man body indicted:

**WILLIAM OLDEN JENKINS** on a charge of assault with intent to murder Lucy K. Jenkins on September 16.

**SILAS DOWDELL** on three counts of assault with intent to murder Mandy Partridge, Julius Sheets and Herman Hunter.

**LEVI CLOUD** on a charge of assault with intent to murder William Waithe with a rifle on September 20.

### City Prisoner Indicted Here ~~in~~ In Assault Act

The Fulton County Grand Jury indicted a city prisoner for the rape-assault of a 47-year-old woman yesterday and ordered James Robert Sheppard to stand trial on eleven counts of burglary, dating back to July 25.

William Revell, 31, Hunter St., was indicted on two charges, rape and assault with intent to murder. The state charged that Revell attacked the woman and forced her to submit to sexual perversions after he escaped from the city prison.

Revell is being held without bond. The woman charged that Revell attacked her after he pulled her under a vacant house. She said the prisoner whacked off her clothes, cut her and threatened to kill her if she did not submit.

Police said the woman escaped by crawling away from Revell, running to the street and calling for help.

27e(2) 1952

Georgia

8405

## Man Gets Life For Assault

Wired p. 2

WASHINGTON — (AP) — Because of his aged mother, Robert Byrd, 36, last week received life in prison instead of death for assault with intent to rape.

A Montgomery County circuit court convicted him of attacking a 15 year old girl, last July. His sentence could have been anything from two years in prison to death by hanging.

Byrd was sentenced on grounds that his mother needed him for support. But Chief Judge James W. Woodward said:

"The only problem now is whether to have you hanged or to imprison you for life. I am going to be lenient. The crime you have been convicted of is as bad a crime as can be committed."

The age of the girl is of no importance whether it be 15 or 25. No man who did what you did has the right to walk free in the public

8407

# Court Affirms Death Sentence Of 2 Airmen

**WASHINGTON, D. C., (NNPA)** —Splitting 2 to 1, the United States Court of Appeals last Thursday affirmed the convictions of Robert W. Burns and Herman P. Dennis Jr., two Air Force servicemen, who are under sentence of death for the alleged rape-murder of a white civilian worker on Guam in 1948.

The majority opinion held that the facts alleged in the petitions for writs of habeas corpus were insufficient to give civilian courts jurisdiction to review the cases to determine whether the two men were denied fair trials.

Judge E. Barrett Prettyman wrote the majority opinion, in which Judge James M. Proctor concurred. Judge David L. Bazel, on dissented.

As is the frequent practice in capital cases, the court examined the two whole lengthy court-martial records.

The court ordered the execution stayed for 60 days to enable counsel for the condemned men to seek a review by the Supreme Court of the judgment of the appeals courts and to ask a Supreme Court justice for a further stay pending disposition of such a petition.

The sentence of Calvin Dennis, also involved in the case, was reduced to life imprisonment by the judicial council.

The crime of which the three men were convicted was the rape and murder of Miss Ruth Farnsworth, who died on Dec. 14, 1948, after having been found unconscious the previous day in a secluded spot near where she worked. She never regained consciousness.

After the convictions the NAACP was requested by the men and their parents to represent them before the Judge Advocate General's office in Washington. NAACP counsel has represented the men in both the review and habeas corpus proceedings.

## Rape Case Appeal Denied

**Court Martial Death Sentence of 2 Airmen on Guam Upheld**

**WASHINGTON, Aug. 2 (P).** — Two airmen sentenced to death by a military court in the 1948 rape-murder of a government girl employee on Guam have lost their plea for civil review of their case. The United States Court of Appeals, in a 2-to-1 decision upheld the decision of a United States District Court and said the airmen had suffered no loss of their constitutional rights in the court martial conviction. It did, however, stay the execution for sixty days to permit counsel to appeal the Supreme Court.

The airmen, S/Sgt Robert W. Burns, of Spokane, Wash., and Pvt. Herman P. Dennis Jr., of Calvert, Tex., were arrested by military authorities after the body of Miss Ruth Farnsworth, civilian employee of the Air Force, was found at the Pacific base. They are now being held in Japan.

At 8-9-52

# VOTE TO INDICT RAPIST, 16, ON FOUR CHARGES

True bills charging rape, robbery, burglary, and assault to kill were reported voted by the grand jury yesterday against William Gonzales, 21, of 635 W. 61st pl., a truck driver, was held to the grand jury yesterday by Judge Matthew D. Hartigan in Felony court on charges of attempted rape and assault with a deadly weapon. His bond was set at \$5,000. Gonzales was captured Monday night after having been confessions attacking two north side women. His bond was set at \$50,000.

Schwartz was seized in his home at 1242 Henderson Monday and owner. Mrs. Cassell lured Gonzales to the home of a neighbor where he would be transferred to the overcame him by hitting him county jail later this week when the head with a hammer. Gonzales had threatened Mrs. Cassell with a knife and had attempted to drag her into an alley near 63d st. and Princeton av.

## Second Attack Confessed

His arrest culminated a week's intensive search after the attack on a 42 year old mother Jan. 14 as she was walking in Belmont av. near Lakewood av. Pictures drawn by Policeman Adolph Valanis from descriptions supplied by the victim and a cigarette lighter with Schwartz's initials found at the scene of the attack provided the basis for police solution of the case.

After his arrest and identification, Schwartz confessed he also had severely beaten Mrs. Myrtle Gilbert, 38, in her home at 3420 Lakewood av. last April.

## Girl, 15, Reports Escape

Summerville police yesterday were searching for a man about 2 years old who accosted Anna Kosich, 15, of 1718 Summerville av. Tuesday night as she walked thru the pedestrian pass beneath the North Western tracks at Berwyn av.

She told police the man struck and choked her before she wrenched free of his grasp and fled. She described him as being about 5 feet 10 inches tall, of stocky build, and wearing a light colored checkered jacket and blue trousers.

## RAPIST BEATEN BY WOMEN HELD TO GRAND JURY

William Gonzales, 21, of 635 W. 61st pl., a truck driver, was held to the grand jury yesterday by Judge Matthew D. Hartigan in Felony court on charges of attempted rape and assault with a deadly weapon. His bond was set at \$5,000. Gonzales was captured Monday night after having been

## RAPE ATTEMPT DEFENDANT GETS MAXIMUM TERM

### Judge Crowley Acts to Avert Parole

Judge Wilbert F. Crowley in Criminal court took unusual steps yesterday to make certain that a defendant convicted of attempted rape serves the maximum penalty of 14 years in prison for the offense.

The defendant, Walter T. Searcy, 31, Negro, of 5041 Champaign av., was subject to a sentence of from one to 14 years, but Judge Crowley specifically set the minimum sentence at 13 years, 11 months, and 25 days, and the maximum sentence at 14 years.

"You have attempted to assault a decent woman," Judge Crowley told Searcy, after finding him guilty in a bench trial. "Only the fact that she resisted you and had the courage to scream saved her from a vicious attack."

"This is a very serious offense. I am going to give you a sentence that will not allow the pardon board to minimize it."

Searcy was seized March 22 after he attempted to assault a 24 year old Negro woman on the elevated lines platform at 51st st. and Indiana av.

She was on her way home after attending a girls' club meeting and was escorted to the elevated lines station by several other women. Testimony was given that Searcy approached her after her companions had left.

### Threatened with Knife

He threatened her with a knife and told her, "I'm going to rape you," it was testified. Despite his threats to kill her, the victim leaned over the side of the elevated platform and screamed for help. She was saved by several persons who were passing and rushed to her aid. Her rescuers seized Searcy.

Searcy, who is estranged from his wife and two children, pleaded for leniency on the basis of a good army record. Judge Crowley said: "Your army record does not give you the right to attempt to rape decent women."

After the sentence was imposed

## Illinois

a woman spectator in the courtroom remarked, "If more judges would hand out sentences like that, decent women would not be afraid to walk the streets of Chicago."

8489

## Three Youths Get 25 Years For Raping Young Woman

CHICAGO (AP)—In an unusual move, three Negro youths last week were sentenced to 25 years each in the penitentiary after being convicted on charges of raping a young colored housewife in an alley last June.

The three adolescents who will have to spend the best years of their lives in prison for what the presiding Judge called a "vicious crime" are:

Robert Brown, 17; Thomas Nelson, 16, and Jay Boyd Dickens, 20. Their victim is a 19 year old housewife.

The trio was arrested immediately after they raped the youthful wife, robbed her of a wrist watch, and then went to her home seeking money.

The men forced their victim to accompany them into the alley, as gun point, according to testimony presented in court. The housewife said she pleaded with them not to molest her, and told them she had \$34 at home they could have if they would let her go.

Instead, she said, all three raped her, and then accompanied her home to get the money. The victim's husband grappled with Brown, who fired a shot at him, which missed. The shot attracted police who seized Nelson, and later arrested the other two.

Several attempts were made to get the trio freed while the case was pending; however, all met with no success. One involved a man who reportedly approached Judge John S. Dougherty, who presided over the case in criminal court, and sought to talk with him about the case.

Later, Brown's father telephoned the public defender's office, saying he had paid \$76 to a Negro who said his name was Luther Hylton, and wanted to know why the case had not been dismissed. A warrant was issued for Hylton's arrest.

Still later, a man, posing as a minister called on the victim, and offered her \$150 if she would not appear in court against her assailants, and gave her a paper to sign. The paper turned out to be a retraction of the charge.

Instead of helping the trio, these events merely worked against them. In sentencing the men, Judge Dougherty brushed aside a plea for clemency on the basis of the defendants' youth. He said:

"It makes no difference. This was a vicious crime, and only a severe penalty can be inflicted."

## White Sox Outfielder Faces Charge Of Rape

CHICAGO, Sept. 29 (UPI)—Jim Rivera, 30-year-old Chicago White Sox outfielder, today was charged with raping a 22-year-old married woman and was released on \$3,000 bond.

The rookie ball player, who previously had served a five year sentence in Atlanta Penitentiary on a similar charge, was ordered to appear in felony court Tuesday for a hearing.

Rivera, a New York-born Puerto Rican, was arrested Sunday in the White Sox clubhouse following the game with the St. Louis Browns.

The complainant, attractive blonde wife of a soldier, told authorities she was raped Saturday night in her South Side apartment.

Rivera admitted being intimate with the woman but claimed force. He said she submitted willingly after inviting him to her apartment.

# No Beast Rapists Get Long Terms

"Two rapists, called "worse than jungle beasts" by the judge, got long prison terms yesterday when they pleaded guilty to charges of raping a girl, 19, whom they abducted last April after trussing up her young soldier escort and locking him in the trunk of his car.

In passing sentence Criminal Court Judge Thomas E. Kluczynski said he regretted he could not impose the death penalty. Judge Kluczynski imposed a sentence of 70 years on each of two charges of rape against Thomas Withers, 23, of 3158 N. Clark st., and terms of 12 to 14 years for assault with intent to commit murder and 10 to 20 years for robbery. All sentences are to run concurrently.

Withers' accomplice, James Behan, 17, of 1459 Huron st., was sentenced to 50 years in the penitentiary on each of two rape charges and 10 to 20 years for robbery.

In another rape case, Frank Wegrzyn, 34, of 1037 N. Wood st., an ex-convict, was sentenced to 25 years in prison. A jury of eight women and four men in the court of Judge Wilbert F. Crowley found him guilty of attacking a girl, 14.

Judge Kluczynski indicated his leniency toward Behan was because of his age—he was 16 when arrested for the crime. Both defendants were employed as laborers by the Werner Brothers-Kennelly storage company.

## Admit Threatening Couple

Withers and Behan admitted they had accosted Corp. Martin Frer, 19, of 449 N. Clark st., early on April 23 as he was seated in his car with his girl friend near Navy pier. Withers carried a revolver, he said, and Behan had a hunting knife with which they threatened the couple.

Withers compelled Frer to climb into the rear seat and then drove the car to a desolate road between Des Plaines and Park Ridge where the two bound Frer with his belt and thrust him into

the trunk. The two then raped the girl, threatening to kill her if she made an outcry.

Returning to the city, the two again attacked their victim and finally released Frer. The rapists members of the gang, who took part in the then forced the pair to accompany them while they held up a gas station. Behan, becoming frightened, left Withers and went home. Withers drove young woman after overpowering her escort his car to the near north side where he abandoned their car and forced them into a taxicab, explaining he was going to hold them prisoner for several days.

## Captured in Restaurant

When the three entered a Loop restaurant the girl, pleading she wanted to go to the washroom, informed the manager of the situation. Police were summoned and captured Withers after shooting his revolver out of his hand as he attempted to draw it.

"You are bold, brazen and dangerous criminals and should be jailed for the rest of your lives," the court told the rapists.

Neither Withers nor Behan will be eligible for parole consideration until they have served at least one-third of their sentences.

Wegrzyn raped a school girl June 20, 1951. The child testified she was awakened by a knock at the door of her home while her mother was away at work. When she asked who was there Wegrzyn replied in a falsetto voice.

## Slashed with Knife

Thinking it was the landlady of the building, she unlocked the door. Wegrzyn, she said, slashed her neck with a butcher knife when she resisted. Wegrzyn fled but was arrested last February and was identified by his victim.

Wegrzyn was sentenced to Joliet penitentiary in 1943 for robbery and was released in 1948.

In Felony court Judge Harold P. O'Connell ordered Joseph T. McLaughlin, 23, of 5033 S. Kostner av., held to the grand jury under bond of \$1,000 on a charge of rape. McLaughlin was accused of raping a 49 year old woman May 29 after driving her home from a christening both had attended.

[A list of vicious rape cases in Chicago in 1952 appears on page

## MAKING RAPES UNPOPULAR

On Wednesday Judge Wilbert F. Crowley sentenced two rapists who had kidnaped a 14 year old mother to consecutive sentences of 35 and 30 years. Three other members of the gang, who took part in the then forced the pair to accompany them while they held up a gas station. Behan, specifically,

The day before, two men who raped a young woman after overpowering her escort his car to the near north side where he abandoned their car and forced them into a taxicab, explaining he was going to hold them prisoner for several days.

14 year old child was sent to prison for 25

years. Since the first of the year two restaurant the girl, pleading she sentences of 30 years and one of 15 years wanted to go to the washroom, have been imposed for similar crimes.

These sentences reflect a determination to inform the manager of the situation. Police were summoned and captured Withers after shooting his revolver out of his hand as he attempted to draw it.

the members of the Criminal court have

shown sound discretion. They, as well as every policeman, recognize that often the woman is not as blameless as she pretends to have been. The severe sentences have been imposed for violent and brutal attacks which can be suppressed only by the sternest justice.

In the latest case, the two were accused of picking up a 14 year old girl in their neighborhood last April 25, taking her to a vacant lot in the 500 block of N. Elizabeth st., and compelling her to submit on threat of "having 40 guys from the poolroom beat and rape you."

When the defendants' parents pleaded for "another chance," Judge Marovitz said: "You people probably have made the same kind of speech before another judge. These defendants must be taught to respect law and womanhood."

## RAPIST IS SENT TO PRISON FOR 50 YEAR TERM

*Victim Woman Lawyer,  
28, Struck with Bottle*

A 50 year prison sentence was imposed on Robert Hawkins, 27, Negro, of 4710 Calumet av., yesterday after he was convicted of rape in a bench trial by Judge Daniel A. Covelli in Criminal court. The victim was a 28 year old Negro woman lawyer.

The victim testified Hawkins waylaid her April 26 as she was returning to her south side home from a drug store. She said he struck her with a broken bottle.

Hawkins threatened to kill her, the woman related, and dragged her a block away to the second floor of a vacant building at 3402 Vernon av., where she was robbed of her wristwatch and \$3, then raped.

Defendant Second Offender

The woman got a good look at the rapist by persuading him to light matches in a search for a drug store package she had been carrying. She identified Hawkins from a rogue's gallery picture.

Judge Covelli, told Hawkins was sentenced to three years in 1949 on another rape charge, fixed the severe penalty after commenting, "It's time this defendant is taught a lesson he won't forget."

Two teen-age defendants were sentenced to five years each in prison for statutory rape by Judge Abraham L. Marovitz in Criminal court amid a tumultuous demonstration by the parents and other relatives of the defendants.

27e(2) 1952

Kentucky

8408

## Father of 3 To Get Life In Prison For Raping Girl, 10

Winchester, Ky., Jan. 14 (AP)—A 35-year-old father of three children pleaded guilty today to raping a 10-year-old Winchester girl. D. C. Boles, 35, was sentenced to life imprisonment without privilege of parole.

The Clark Circuit Court jury fixed punishment for the defendant—Sherman Boles, a former employee of a Clark County dairy farm and a milk-truck driver—at life imprisonment without privilege of parole.

Commonwealth's Attorney R. R. Craft urged the jury to accept the guilty plea and fix the punishment as recommended by the court. Craft said the punishment was approved by the family of the fifth-grade student.

Boles was arrested December 1 on a Winchester street as he sought from his truck. He was held in Fayette County Jail several days. The sentencing of Boles is being held in Clark County Jail until formal sentence later this week.

## Rapist Who Fled Jail At Covington Gets Life

Covington, KY., Nov. 21 (AP)—Eugene "Monte" Cuneo, 24, Burlington, Ky., today was sentenced to life in prison, without privilege of parole, for raping a 12-year-old girl.

Cuneo, who escaped from Covington jail Monday and was captured less than 24 hours afterward, pleaded guilty to the charge earlier this week.

A jury of six men and five women fixed the penalty in Kenton County Circuit Court.

He will be sent to LaGrange Reformatory.

# Action Succes Orleans Courts

*Concurred*  
Automatic Exclusion of  
Negroes From Juries  
Cited in Lengthy  
Opinion by Jurist.

*Concurred*  
JOHN E. ROUSSEAU

NEW ORLEANS—All motions of Negroes in Orleans Parish since Reconstruction have been illegal!

All prison terms imposed as costs for capital crimes during that period, too, have been in violation of their constitutional rights! Negroes excluded from the grand jury, and indicted for capital cases, have been substituted for white men, in the District Court, by the colored jurors, who have been selected by the colored jurors, in the colored jury wheel.

Judge O'Hara's action, taken in a twenty-seven-page opinion, was in answer to a motion filed several weeks earlier by court-appointed defense attorney James L. McMillin, who contended the indictment was illegal because Negroes were and had always been "intentionally and systematically excluded" from the Parish grand juries, in drawing the lists returning the bill against Dowell.

He held on the original motion, sending the appeal by the District Attorney's office to the State Supreme Court.

The court upheld Judge

O'Hara, the District Attorney's office will seek to have Dowell indicted by the present grand jury—which includes no Negroes.

Two other important developments have resulted from the decision. First, the Orleans Parish Jury Commission is making a frantic effort to secure as soon as possible a representative number of Negroes to place in the jury wheel.

Second, District Attorney Severn T. Darden has announced that the present grand jury will consider this week the possibility of reindicting all persons—Negro and white—indicted by the grand jury whose six-month term expired Sept. 2, which returned the bill against Dowell.

THE LOUISIANA edition of the Courier on Oct. 2, wrote the six Criminal District Court judges regarding their failure to select Negroes as members of the Orleans Parish grand juries.

In the final hearing on the motion, Oct. 17, the defense subpoenaed Criminal District Judges J. Bernard Cocke, Frank T. Echezabal, Niels F. Hertz, Fred W. Oser and George P. Platt; Dr. Rivers Frederick, internationally famous Negro surgeon and president of the Louisiana Life Insurance Company; Mac Dyer, Orleans registrar of voters; and Larry Thom of the jury commission.

JUDGE O'HARA's opinion stated, in part:

"The Supreme Court of the United States has established a criterion which it uses to determine whether there has been systematic and intentional exclusion of Negroes from grand juries because of their color, and the application of this criterion to the facts herein, this court respectfully believes, leads inevitably to the conclusion that the motion to quash must be sustained.

"The Negro population in Orleans has been large since its founding as a community. In 1930, 1940 and 1950, the Negro segment of the population, according to United States census figures, has been some 32 percent.

"No Negro person, with one

exception which will be noted later, has served on a grand jury in Orleans in the memory of any living person.

"THE SUPREME Court of the United States and of Louisiana have decreed that this combination of facts and events evidences systematic racial discrimination in violation of the Fourteenth Amendment to the Constitution of the United States.

"As long as this combination of facts and events exists in Orleans, Negro defendant charged with a capital crime against a white victim and confronted with death in the electric chair can be expected to interpose this plea, and their attorneys can be expected to do their utmost to make out the strongest possible case under this plea, and this combination of facts and events must, therefore, continue to be an obstruction to the course of justice in Orleans."

Judge O'Hara cited the case of Hugh Pierre, crippled Negro farmer indicted in 1837 for the murder of a white man in St. John Parish. His plea on the grounds of Negro exclusion from grand and petit juries was sustained by the U. S. Supreme Court, and the parish's funds were nearly depleted in fighting the case for more than four years.

CONTINUING, HE ruled: "No Negro has ever served on a grand jury in Orleans within the memory of any living person except one instance and in that instance the Negro was of a light complexion that made him easily mistaken for a white person.

"Prior to 1936 or thereabouts, to the judicial knowledge of this court, no Negroes were placed in the jury wheel by the jury commissioners and consequently none were drawn or served as grand jurors before that year.

"... No Negroes have served in a grand jury since 1936 where were Negroes in the jury wheel... the presence of Negroes in the jury wheel has brought no change in the continuous omission of Negroes from the grand jury in Orleans."

"It is a matter of common knowledge that male Negroes have been serving in the Federal courts in New Orleans on petit and grand juries for fifty years and more. The fact that there are male Negroes in New Orleans legally qualified to serve on the Federal grand juries... establishes the fact that there are Negroes in the community with legal qualifications to serve on the state grand jury in Orleans."

would be strong; if one in 200, it would be stronger; if one in 300 it would be stronger yet. Here we have, let us say, one in 400, and that one seems to be an accident. This is the record.

"While this court is conscious of its fallibility, it is firm in its opinion that this record in the Supreme Court of Louisiana of the United States, would support no other ruling except a ruling quashing the indictment herein because of the intentional and systematic exclusion of Negroes from grand juries in Orleans."

ON THIS phase, Judge O'Hara cited Dr. Frederick's testimony: "Dr. Frederick, a colored physician and surgeon in New Orleans for more than fifty years and for many years president of the Louisiana Life Insurance Company, an all-colored insurance company with assets in excess of \$2,000,000... testified that his insurance company is the largest and there are twelve other companies exclusively owned and operated by colored persons in New Orleans.

"... That there are forty odd colored physicians in New Orleans and that the staff of Flint Goodridge Hospital is evenly divided between white and colored physicians, about thirty-five or forty of whom are colored; that most of the technical staff are colored; that there are about twelve colored dentists and about ten or twelve colored pharmacists, two colored universities and two colored weekly news papers."

Citing the testimony of other judges to the effect that Rufus J. Walker, a Negro whose racial identity was not known until he volunteered the information, served on a grand jury in 1941, Judge O'Hara wrote: "In the sixteen years that colored persons have been placed in the jury wheel, 184 grand jurors have been selected at various times by the six courts. Of this number one colored person, who could be mistaken for a white person, was selected."

"IF ONE unmistakable colored person had been selected in 100 grand jurors, with our large colored population and with so many of them legally qualified for grand jury service, the case for systematic discrimination

# Judge Quashes Indictment For Rape Against Negro Man As Question Of International And Systematic Exclusion Of Negro Citizens From Grand Jury Service Is Raised

## Judge Honors 27-Page Document Attacking Time Honored Southern Custom In Trials Of Negroes

New Orleans, La., Nov. 3.—(D&SN)—In an opinion covering 27 pages when Criminal District Court Judge O'Hara quashed a rape indictment against a 26-year-old Negro man, Alfred Dowels, who is being held in the parish prison for criminally assaulting a white woman.

The 27-page document which attacked the time-honored custom of intentionally and systematically wheels by the jury commissioners admitting Negroes on grand juries and consequently, none were drawn into the community was viewed as a step forward or served as grand jurors before better relations in the Deep South.

The opinion was handed down "So our consideration of the facts in this case must begin with Bernard Cooke and a parade of 1936, when and since which date white and Negro educational and the jury commissioners have been giving evidence last week placing the names of Negroes on the grand jury wheel for life time, only at the jury wheel."

In citing a number of cases of similar cases, Judge O'Hara said that, "the supreme court of the U. S. and of Louisiana have declared that there has been systematic exclusion of Negroes from grand juries for 50 years and more."

The defense attorney, James J. McDonald, argued that the combination of facts set forth and events surrounding the trial of Dowels was charged with the U. S.

He quoted at length from the authority under which grand juries are empanelled and said "suffice it to say that the supreme court of the U. S. has declared in substance that equal protection of the law requires that a colored person shall be afforded an opportunity to have members of his race serve upon the grand and petit jury in cases involving his life or liberty, and, therefore, any denial of this guarantee, either by law which does not provide a fair mode of selection, or by officers who systematically administer the law so as to accomplish gross inequalities, cannot be countenanced."

Said Judge O'Hara:

"The supreme court of the United States has established a criterion which it uses to determine whether there has been systematic and intentional exclusion of Negroes from grand juries because of their color and the application of this criterion to the facts before this court respectfully leads inevitably to the conclusion that the motion to quash must be granted."

Judge O'Hara wrote, "The de-

fendant's contention in this case among other things, is that the omission of Negroes from the grand jury continuously for 30 years and more, and for 18 years that Negroes have been placed in the jury wheel, considering the large Negro population in the locality, and considering that many of them are legally qualified to serve on the grand jury, establishes a case of intentional and systematic exclusion of Negroes from grand juries in locality, in violation of the 14th amendment according to the decisions of the U. S. supreme court, which declares that under the facts and circumstances stated above, that chance and accident alone does not explain the continuous omission of Negroes from grand juries, hence the continuous omission of Negroes from the grand juries in the locality; that there is nothing herein to differentiate the selection of the grand jury that returned the indictment herein from the continuous succession of grand juries from whose rosters Negroes were consistently omitted."

He said, "it is a matter of common knowledge that male Negroes have been serving in the federal courts in New Orleans on petit and grand juries for 50 years and more."

"The fact that there are male Negroes in New Orleans legally qualified to serve on the federal grand jury and who have been continuously serving over the years on the federal grand jury in New Orleans establishes the fact that there are Negroes in the community with the qualifications to serve on the state grand juries in Orleans."

A similar motion to quash an aggravated rape charge against another Negro man, Robert Green, 15, for rape of another white woman is presently pending in Judge George P. Platt's section of criminal district court. It has been filed through his attorney, Maurice B. Getlin.

He quoted at length from the authority under which grand juries are empanelled and said:

## Rape Indictment Quashed; No Negroes On Grand Jury

BY JAMES B. LAFOURCHE.

NEW ORLEANS — (AP)—An indictment charging a Negro with the rape of a white woman was quashed here last week by Judge William J. O'Hara.

A motion to quash was filed several weeks ago by James J. McDonald, attorney for the Alfred Dowels, charged with aggravated rape on July 5, 1953 at Kenner, La.

The judge declared, "I think if the indictment is not quashed, the Supreme Court will quash it."

In writing for his reason for retaining the plea in a 27-page opinion, Judge O'Hara noted that Dowels "pleads that the indictment should be quashed because of the intentional and systematic exclusion of Negroes from the grand juries in the parish of Orleans and the grand jury which returned the indictment herein."

He continued: 27c (2)

"The Supreme court of the United States has established a criterion which it uses to determine whether there has been systematic and intentional exclusion of Negroes from grand juries because of their color and the application of this criterion to the facts herein, this court respectfully believes leads inevitably to the conclusion that the motion to be quash must be denied."

He noted that in the census of 1950, the Negro population in New Orleans was about 32 per cent of the total and that "no Negro person with one exception has ever served on a grand jury in Orleans in the memory of any living persons." The exception, the judge wrote, was a Negro of light complexion who was mistaken for a white man.

Prior to 1936, Judge O'Hara said, "no Negroes were placed in the jury wheels by jury commissioners and consequently, none were drawn or served as grand jurors before the year" — the year the Negro served by mistake identity. He continued:

He quoted at length from the authority under which grand juries are empanelled and said:

"Suffice it to say that the Supreme court of the United States has declared in substance, that equal protection of the law requires that a colored person shall be afforded an opportunity to have members of his race serve upon the grand and petit jury in cases involving his life or liberty, and, therefore, any

denial of this guarantee either by law which does not provide a fair mode of selection, or by officers who systematically administer the law so as to accomplish gross inequalities cannot be countenanced."

Dr. Rivers Frederick, internationally known surgeon and fellow of the International College of Surgeons, was interviewed as a type of Negro systematically excluded.

Mack A. Dyer, registrar of voters, attested to the fact that large numbers of Negroes are now registered and taking part in city and state elections.

### 5 JUDGES CONFER

Five criminal court judges, J. Bernard Cooke, Fred Oser, Frank T. Ezezebal, George Platt, and Niels F. Meritz, all admitted that no Negro had ever served in their respective courts as a member of the grand jury. The judges said they at no time had discriminated against a Negro because of his color.

Judge O'Hara said: "It is a matter of common knowledge that male Negroes have been serving in the federal courts in New Orleans on petit and grand juries for 50 years or more."

"The fact that there are male Negroes in New Orleans legally qualified to serve on the federal grand jury and who have been continuously serving over the years on the federal grand juries in New Orleans establishes the fact that there are Negroes in the community with the qualifications to serve on the state grand juries in Orleans."

The method of obtaining Negroes for federal grand juries in times past was a questionable procedure and it may exist at the present. Negro porters working around the federal court would suggest the names of close friends of theirs to serve on their federal juries, and the result was that quite a few successful Negro business men served because of their popularity, and not because of their conscience.

8430

## Supreme Court Refuses Review Of La. Rape Case

**WASHINGTON, D. C. — (AP)** — The Supreme Court of the United States last week refused to grant a review of the conviction of Paul Washington, 25 year old Louisiana veteran facing death for alleged rape.

Attorneys for the Civil Rights Congress stated that Washington faces execution in 30 to 60 days in Louisiana's portable electric chair—only because "he is a Negro". Pointing to official records, the CRC said that since 1907, not a single convicted white rapist has ever been put to death by that state, while 30 Negroes have been given the penalty.

It was last June when prison officials were rumored as planning to secretly electrocute Washington. Last June, an hour before Washington was to be strapped into the chair a last minute appeal by the CRC combined with nationwide protest, delayed the execution.

Washington, one of six brothers, and Ocie Jugger, were charged with raping a middle-aged white widow in March 1948. At the trial, she admitted making no outcry, and never identified Washington or Jugger as her assailants.

Shortly after CRC attorneys entered the case in December, 1949, it was announced by the county sheriff that Jugger had escaped from jail. No trace of Jugger has been found.

## Hope Wanes For Doomed Yet High Court Refuses Review

Hope waned this week for a 25-year-old World War II veteran who sits in the shadow of the electric chair in the Gretna jail as his request for a review of his rape trial was turned down by the United States Supreme Court in Washington.

He is Paul Washington, who last June 29, at the zero hour, was snatched from the chair which had been set up for him in the Jefferson Parish jail as a stay of execution was issued at the last minute by Justice Douglass of the U. S. Supreme Court.

His attorneys both in New Orleans and in New York were conferring this week on new strategy in order to save the youth, who was found guilty of a rape charge nearly four years ago.

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ington.

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## Seek Freedom For Six in La.

By EDWIN E. BOUSSEAU

ST. FRANCISVILLE, La.—The most unusual case in the history of Louisiana jurisprudence was spotlighted here last week when Tennessee Allums, 37, one of six Negro farmers serving twenty years in the state prison for "simple rape" on a white woman whose husband "arranged" her prostitution deals with them, filed application for a writ of habeas corpus in the Twentieth Judicial District Court through Atty. Earl J. Amedee, New Orleans.

The farmers, all residents of Ringgold, Bienville Parish, La., were tried, convicted and sentenced to hard labor for life in Aragon, La., on June 16, 1950, and entered the penitentiary immediately.

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officials were rumored as planning to secretly electrocute Wash-

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ATTY. EARL J. AMEDEE  
OTHERS BESIDES Allums are Sonnie Lee, 26 years old; L. W. Simms, 24; Julian Stafford, 27; Arona Rasco, 28, and Armon King, 26. The white woman's husband, Wiley Griffith, is also serving twenty years on the same "simple rape" charge.

The application for the writ, Attorney Amedee said, was made on behalf of Allums alone because of the scarcity of funds. "It was necessary for me to use my own money to help secure justice for my

in the sixth grade; Rasco never attended school, and the others went to the second grade.

THE FILE showing Allums' prison record contains a statement by District Attorney Jackson, according to the petition, as follows:

"A white man by the name of Wiley Griffith lived with his wife and three young children on a farm in Ward Four, Bienville Parish. Mrs. Griffith is a feeble-minded woman about twenty years of age, and it was discovered that a good many Negroes were going to their en-

clined," he said.

The application for a writ of habeas was directed at Reed Cozart, superintendent of the Louisiana State Penitentiary, Angola, La., and Sam Anderson, warden.

Sheriff Oakley investigated

the home of Griffith for the pur-

pose of having intercourse with

Allums and his wife and all of the Negro

and is detained without any defendants one of which is this

justification in law. Submittion, admitted the act and they

with the application is a docu-

ment dated June 16, 1950, in Ar-

gentia, La., which states:

"Court met this day pursuant

to adjournment, with the follow-

ing officers present to wit: H. W. Ayres, Judge; Fred L. Jackson, Griffith two dollars and on one

District Attorney; P. M. Oakley or two occasions he was present

there, and Guye Corley, chancery

in the home at the time of the

act and in another room and he

encouraged and solicited the Ne-

groes."

"Number 455, Criminal

Court Docket, State of Louisi-

ana versus Tennessee Allums,

Simple rape. The defendant

being in the open court and be-

ing called for arraignment was

informed by the court that he

had the right to have an at-

torney to assist him in his ar-

raignment and the defendant

not desiring an attorney was

duly and legally arraigned and

entered a plea of guilty as

charged. Ready for sentence

the defendant waiving the de-

lay accorded him by law there-

for, was sentenced by the court

to be incarcerated in the Louisi-

ana penitentiary at hard labor

for a period of twenty years."

Attorney Amedee pointed out

that Allums, who had only a sec-

ond grade schooling, was no harm

by Sheriff Oakley who had

grossly violated his rights abru-

ptly beaten Lee and had

threatened Stafford and others

unless they caused injury to

himself, he would be lynch-

ed if he didn't plead guilty.

Other points mentioned are:

"That the trial, although a

trial in form, was only a form

and that the petitioner was

inured to conviction without

any trial, and that the ad-

vocate of legal counsel of the

defendant was not present

and that the petitioner was

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and that the petitioner

# Louisiana Negro Farmers Get Twenty Years for "Rape" of Willing White Prostitute

*Beach Dispatch P.1*

Husband Acted As Solicitor and Is Given Same Sentence as Black Cohabitors

## ATTORNEY SEEKS TO ABATE RAPE SENTENCE

*Oklahoma City Okla.*

By JAMES B. LAFOURCHE

ST. FRANCISVILLE, La.—(ANP)—An unprecedented case in the annals of Louisiana's criminal court history was aired here last week when Atty. Earl J. Amedee filed application for a writ of habeas corpus in the case of Tennessee Allums, 36, one of six Negro farmers sentenced to serve 20 years in the state penitentiary for allegedly committing "simple rape" on a white woman.

The husband of the alleged victim aided and abetted the Negro farmer to cohabit with his wife for money.

The other farmers are Sonnie Lee, 26, L. V. Simms, 24, Julius Stafford, 37, Arizona Rasco, 39, and Amos King, 26.

The farmers, all of Ringgold, La., Bienville parish, were tried, convicted and sentenced by Judge H. W. Ayers, in Arcadia, June 16, 1950, and entered the penitentiary six days later. Wiley Griffith, the husband, is serving a similar term.

The application for the writ was filed in the 20th judicial district and was directed at Reed Cozart, superintendent of the penitentiary, and the warden, Sam Anderson.

*Amended with that because of a large amount of material has been added. M.W. 10/20/50*

In the application it is held that Allums is held illegally and is detained without any justification or law.

The writ states further that the defendant was called for arraignment and was informed by the court that he had the right to have an attorney to assist him. Allums, an illiterate, scorned the lack of an attorney and on the day of the trial, entered a plea of guilty as charged. He then waived a delay of sentence accorded him by law and was sentenced by the

in Shreveport.  
Allums' release is sought on the grounds that his plea of guilty was made under fear of death or harm by Sheriff Oakley who allegedly had brutally beaten Lee and had threatened Stafford and others unless they offered guilty pleas. Allums was told that he would be lynched if he did not plead guilty, according to the application.

Amedee said that the trial was only a matter of form, the petitioner being hurried to trial and conviction without sufficient time to have the advice of legal counsel in an atmosphere of "tense, hostile, and excited public sentiment and prejudice."

The six men are all married. Five are World War II veterans, and are the fathers of a combined total of 35 children.

court to serve 20 years at hard labor in the state penitentiary, the writ charges.

The file in the office of the district attorney contains the following record, according to the application.

"A white man by the name of Wiley Griffith, lived with his wife and three young children on a farm in Ward Four, Bienville parish. Mrs. Griffith is a feeble-minded woman about 20 years of age, and it was discovered that good many Negroes were going to their home and other suspicious acts were being committed.

"Sheriff Oakley investigated the matter thoroughly and found that these Negroes were visiting the home of Griffith for the purpose of having intercourse with his wife and all of the Negro defendants, one of which is this one, admitted the act and they knew that Mrs. Griffith was a feeble-minded person and unable to understand the nature of the act.

"Some of the Negroes paid Griffith \$2. On one or two occasions he was present in the home at the time of the act and in another room and he encouraged and solicited the Negroes."

Amedee said the factors necessary for "simple rape" are lacking and that there has been no legal evidence introduced to substantiate the statement that the alleged victim is "feeble-minded."

At no time, he said, has the woman been confined in any mental institution before the trial or since, and she is presently living in Red River parish, and employed.

8463

# Fight 'Bogus' Rape Convictions

ST. FRANCISVILLE, La.—One of six farmers serving 20-year prison terms for rape, charged this week that the woman's husband was aware of her relations with the men and accepted money from her. Allums, 36, one of the convicted farmers, was the first to seek freedom last week when he filed application for a writ of habeas corpus through his attorney, E. J. Amadee, who is financing the case.

The petition states that Allums was convicted June 11, 1950, on charges of raping a white woman, Mrs. Wiley Griffith about 20, whose husband had been "soliciting and encouraging Negroes to have sexual relationships with her." See, 8-3d-2.

Though Allums pleaded guilty to the charges he states in the petition that the woman's husband, Wiley Griffith, collected sums of money from him and others and on one or two occasions remained in the adjoining room while the act was taking place. Griffith is also serving a 20-year term for "simple rape."

Allums' attorney charged that there would have been no trouble if "other whites" had not discovered what was taking place in Griffith's Bienville Parish farm house. "Upon discovery," said Amadee, "Griffith had only one alternative — another rape."

During the trial claims were made that Mrs. Griffith was feeble-minded and unable to understand the nature of her actions. She is the mother of three children.

The petition for Allums' release however, states that there was no substantial legal evidence proving Mrs. Griffith's claim of feeble-mindedness and that the facts substantiating charges of "simple rape" were lacking.

Amadee said that Allums' former plea of guilty was made under fear of bodily harm. Two of the other five prisoners had already been beaten into pleading guilty before he stated,

## 2 La. Men Slated To Die On July 11 For Criminal Attack

NEW ORLEANS (UPI)—Paul Washington and Ocie Jugger, convicted of criminal attack in March of 1948, are to die July 11, provided some act of God does not intervene. The carrying out of the execution.

The doomed pair formerly worked as sharecroppers in Jefferson Parish. They were charged with the assault of a 63-year-old white woman.

## Paul Washington Executed In Prison Louisiana

NEW ORLEANS, La. — Paul Washington, victim of an alleged rape "frame-up," was executed in the electric chair here on Friday, July 11, following refusal of both Supreme Court Justices Vinson and Burton to grant a stay of execution.

Civil Rights Congress attorneys had sought a last-minute delay in order to present new evidence proving the 26-year-old youth's innocence.

Washington, veteran of Army service in the Pacific during World War II, was put to death with Ocie Jugger, 27.

They were the third and fourth Negroes executed in 1952 in Louisiana on charges for which no white man in the South ever gets the death penalty. Since 1907, 17 Negroes have been given the death penalty in Louisiana for alleged rape, but never has a white man convicted of that crime been executed.

The CRC national headquarters in New York called the execution "Another official murder by the U. S. government of two Negroes solely because of their color, a barbaric act of genocide in violation of the United Nations convention against racist killings."

Washington was arrested with Jugger in March, 1948, and charged with rape of Mrs. W. P. Irwin, a white widow. Represented only by a court-appointed white attorney who gave them a token defense, they were found guilty and sentenced to death in November of that year.

## 5 In Jail Oklahoma Rape Charge Seek New Trial

NEW ORLEANS — Tennessee Allums and five other farmers who are serving 20 years for "rape" of a white woman even though her husband was charged with having arranged the dates, are seeking a writ of certiorari.

The husband is also serving time for the part he played in the "strange fruit" case near St. Francisville, where he is said to have received \$2 for each date made by his wife and the farmers.

St. Francisville is a hamlet between Baton Rouge and Natchez, Miss., where Negro newspapers are not permitted to be sold on the street. Atty. Earl J. Amadee of New Orleans is handling the case free of charge.

Amadee said that Allums' former plea of guilty was made under fear of bodily harm. Two of the other five prisoners had already been beaten into pleading guilty before he stated,

## Man, 21, to Hang for Attack On Mother, 20, in Baltimore

BALTIMORE July 17 — Leroy Junior White, 21-year-old Baltimore man, today was sentenced to death by hanging for raping a 20-year-old woman whose apartment he burglarized. White, a Negro, also was convicted of several other burglary charges.

Judge Benjamin M. Moser, pronouncing sentence, said there are certain sections of Baltimore "where too frequently there are reports of females going about the legitimate business" being terrorized and ravished.

"Those who commit these offenses have adopted the ways of the jungle," the judge continued, "and have discarded the rules governing a civilized community."

"They must, when caught, be dealt with harshly and with the utmost severity. Perhaps their example may deter others. Whether it does or not, all streets and all homes of this city must and shall be made safe for decent citizens."

## Blond Soldier Goes Free In Abuse Of School Girls

*Oct. 10 - 11 - 52*  
2 Baby Sitters Tell Of Advances  
By Service Men In Car In Lonely

*Section Of Woods On Same Day*

ANNAPOLIS, Md. — An all-white Anne Arundel county jury in 30 minutes Friday freed a 6-foot, 175-pound white Fort Meade soldier on charges of criminally assaulting a 16-year-old Harford, Md., schoolgirl last July.

In finding Pvt. John C. Allen not guilty of attacking the Bates high school sophomore in a lonely wooded sector of the county after hiring her as a baby sitter on July 15, the jurors took aside a statement signed by Allen in which he admitted attempting to assault the girl, but claimed he was physically unable to have intimate relations with her.

During the trial in Circuit court before Judge Benjamin Michaelson, Allen pictured a woman given to色 and drunkenness, admitted signing the statement of his own free will, but said he didn't believe I said it just as it is worded there."

Assist. State's Atty. C. Osborne Duvall told how Allen picked up the girl at her home about 2:30 in the afternoon after telling her parents he needed a baby sitter for the evening at his home in Severs, and then driving her to the lonely spot where the alleged attack occurred.

### Another Also Picked Up

Earlier in the day, it was testified, Allen picked up an 18-year-old girl for the same purpose, but the girl leaped out of the car near her home after a three-hour ride to the same country spot.

Testimony for the State included that given by the victim, the 18-year-old girl, the 16-year-old girl's mother and father, and Capt. Wilbur C. Wade and Officer George W. Welhelm, county policemen.

They put together a story of Allen, under the influence of a considerable amount of alcohol, scouring the county in a borrowed automobile in search of, he told them, a baby sitter for his 2-year-old daughter.

He asked several colored persons in the community where he might find a girl and used the names of some of them as having recommended him to the girl's parents.

### 5-Hour Ordeal?

After the 18-year-old girl resisted his advances, the state claimed he picked up the younger girl and took her on a five-hour ordeal that included two assaults upon her and beating her with a stick.

In court, Allen admitted to all claims except those that he had assaulted or made any advances toward either of the girls.

He was convicted on July 16—the day after the attacks were alleged to have taken place—of assault and battery of the 18-year-old girl and fined \$25 and costs in Towson police court.

### Girl Takes Stand

On the witness stand, the 18-year-old girl, who was 15 at the time of the incident, showed no emotion as she told her story and answered questions by Mr. Duvall

and Eugene Childs, defense attorney.

Dressed in a red-and-green checkered dress with a gray sweater, her hair pulled back with a ribbon, the girl's hands rested peacefully in her lap or gripped the arm of the chair.

After her parents had consented to her going on the job, she testified, she was riding in the front seat "when he asked me if I wanted any beer or cigarettes." Then, she said, the soldier drove "a long way" in the woods.

### Her Story

"When he got to the woods, he parked the car and told me to get out of the front into the back seat," she said.

"I told him I wasn't going to get out. He pulled me out of the front and put me in the back."

The girl claimed that Allen kissed her twice and then assaulted her.

"I was trying to get away from him but he was too strong for me.

the 5-foot, 102-pound schoolgirl said.

After that, she said, the soldier got back into the front seat of the car and went to sleep.

### Fearful For Her Life

"I was afraid to run," she said. "afraid he might kill me."

The girl claimed that she was crying when the soldier awoke, and that he got out of the car, picked up a stick, and began to beat her, but not hard.

Then, she said, he attacked her again in the back seat. He later drove her near her home and let her out, she testified. "Did you consent to what he did to you out there in the woods?" the assistant state's attorney asked her.

"Nor sir," she answered him.

Mr. Childs, during cross-examination of the witness, asked her if it rained anytime during the afternoon. When she answered no, he told her that a weather report for July 15 said it did. She then said she remembered that it rained on their way back from the woods.

The defense attorney also brought out differences in the amount of money Allen was supposed to have offered for her baby-sitting services. Her father said \$5 for the evening; her mother, \$2 an hour, and the girl said she was promised \$20 for the evening while in the soldier's car.

The girl was also asked if she attempted to defend herself against the hulking soldier. She answered that she was unable to.

### Afraid To Tell Mother

"Why did you wait until the next morning to tell your mother?" the defense attorney asked.

"I was afraid to tell my moth-

er," the girl replied. "I thought she might beat me."

On the witness stand, the bespectacled, balding Allen told much the same story as the girl, but denied touching her or having any intentions of doing so.

"There was no assault of any kind. I did not put my hands on her," he maintained.

### Heavy Beer Drinker

Allen told of starting the day with "four or five beers" before breakfast, then drinking several more during the morning before picking up the girl.

Starting to his home with her, he claimed, he discovered "I was pretty well drunk, you might say."

He said he realized "I'd better get off the road." Allen said he was unfamiliar with the territory because he had lived in Severs only a short while.

According to Allen, he laid down in the front seat and the girl got into the back seat of the automobile which he had borrowed from a friend. Allen estimated that he slept from 3 to 6 p.m.

"When I awoke," he said. "I didn't want to take her on to my house after being out with her all that time because my wife would think something."

Asked about his conviction on simple assault charges brought by the 18-year-old girl, Allen said:

"She tried to jump out of the car and I grabbed her by the hand to keep her from jumping out and getting hurt."

Testifying in Allen's behalf were his wife, who said she did ask him to seek a baby sitter on the day of the alleged attack, and Capt. Edward E. Byrd, Allen's commanding officer, who described his general reputation as good.

Four colored men were listed for jury duty on the case. Two of them, Frederick Kess and Wilson Dorsey, were challenged by the disqualification himself by saying he was opposed to capital punishment. The fourth, Thomas Kent was not called.

# Blond Attacker Jailed

## Bible Salesman, 37, Gets Agreement 3 Years; Assaulted Girl, 11

2783 M  
BALTIMORE  
Convicted of a perverted sex act on an 11-year-old girl, a 37-year-old white Bible salesman was sentenced to a three year jail term by Judge Frederick Coburn in Harford County Circuit Court, Monday.

In quiet, shaking tones, the child victim identified Raymond

The girl testified that Lowe held her in a vise-like grip and forced her down on her knees while he committed the perverted act.

After his desire was satisfied, the defendant threatened to harm her, if she told anyone, the girl testified.

### Hour-Long Trial

During the hour-long trial, Lowe's lawyer, Paul McNabb, denied his client's guilt, and repeatedly pointed to lack of any physical violence reported by the girl.

He also cited the two-day time lag between occurrence of the incident, and notification of police.

In pleading his client's dismissal, Mr. McNabb stated: "It's a lamentable fact that an accusation of this type should be brought before this court.

### Cites Own Daughter

"However, the law clearly provides that the burden of proof is on the State. I charge that no such proof has been shown."

State's Attorney Robert Archer, replied, however, "I have a daughter just about this child's age, I feel a girl that young doesn't know all the various sex angles.

"There is certainly enough evidence to put this man at the scene of the crime. This is a serious offense, even though there wasn't any physical violence.

"I think the defendant should be found guilty, and given a fairly stiff sentence," concluded Mr.

Archer.  
In a judicial tone, Judge Coburn said: "The defendant is entitled to any reasonable doubt that might occur.

### Uncontested Facts

"This case is presented however, there are certain uncontested facts. The defendant was in the neighborhood, and he also picked the girl up.

"I have some reluctance in believing that this girl had no idea of what was to occur. However, that isn't vital, for even if she had consented, there is still a violation of the law.

8412

# AWOL Soldier Condemned To Ganging Death

**Jeremiah Driver  
Convicted In Two  
Brutal Sex Cases**

**BALTIMORE**

The apparent "black sheep" of a family of 13 children, the rest of whom are highly respected in the community, 22-year-old Jeremiah Driver was sentenced to the gallows, Thursday, for brutal sexual attacks upon two young women.

It was thought that the death sentence imposed by Judge Herman Moser, marked the first time in Maryland that a colored man has been condemned in a sex case involving women of his own race.

**Sister Screams Out**

Immediately after the sentence was pronounced upon the 5-foot, 1-inch, 132-pound soldier, a scream pierced the courtroom, and his 21-year-old sister, Helen, was carried out sobbing aloud.

The attractive young woman, leaning heavily upon the shoulder of a friend, cried hard all the way down the corridors, and out of the building where an empty cab gave her sanctuary from the peering eyes of the crowd.

Driver, meanwhile, appeared unshaken as he was led from the courtroom. He was convicted in two of the most savage and vicious sex cases to be tried in Baltimore City.

The victims, both East Baltimore residents, are 19 and 20. Both were seized on the street within an hour on January 10, and dragged to a deserted spot where they were beaten and abused.

**Pervered Act Done**

The younger girl, returning home from work at Johns Hopkins Hospital, was grabbed around the point of a pistol (which turned out to be a toy) strapped to his

clothing, and made to undergo an act of perversion which damaged her physically.

The elder victim, who is married, had left her home about an hour later, and was on her way to a grocery at Eager and Chapel Sts., when she was seized, forced to walk to a deserted spot under a bridge, and back of a building, stripped, and criminally attacked.

**Arrested Same Night**

Both women were beaten, and pictures taken after the attacks bore out their bruises. Immediately

after the attacks, the women made their way to the hospital, police came on the scene, and that same night, Driver was picked up in the neighborhood.

The women identified him, and false he confessed to police that he committed the crimes, but explained them by saying the pistol was only a toy.

James F. Price, prosecutor, declared that they were among the most clear-cut attack cases the State's attorney's office has had.

Judge Moser added that there was no doubt in his mind as to Driver's guilt. He said he was faced with "extremely brutal attacks upon two respectable women using the public highways at night for legitimate reasons, by an individual who is unlikely to become anything except a greater menace in the community."

**"Dangerous Person"**

Examined by the court psychologist, Driver was found to be "an extremely dangerous person." The examiner declared that the man shows "indications towards an aggressiveness which is only partially repressed, and which could easily find expression in sadistic acts."

Here, the report added that this sadism was more than likely to assert itself towards women.

Dr. Manfred Guttmacher, consulting psychiatrist, called Driver "socially irresponsible."

**Went To 6th Grade**

The youth told him that he went to the sixth grade in an East Baltimore school, that he was his father's favorite, and the fourth of 13 children.

All of the others, Dr. Guttmacher learned, are either married, or single and well-behaved. A younger brother also is in the Army, and still a younger is in Junior High School.

From the ages of 17 to 20, he terrorized and ravished.

Driver worked as a helper on an oil truck and as a hospital porter. He went into the Army Dec. 4, the jungle, and have discarded the rules governing a civilized community, but was AWOL at the time.

**They must, when caught, be dealt with harshly and with the example may deter others.**

Driver also told Dr. Guttmacher utmost severity. Perhaps the

that his parents have been separated for several years, and that whether it does or not, all streets

mother is sickly. He expressed the desire to turn over a new leaf and shall be made safe for

that he could "change my way of decent citizens."

Waiting to be brought to court for sentence Thursday morning, Driver was said to have asked his attorney, "If the judge gives me a year, will I get credit for my jail-time?"

**Sex Attack Nets  
Youth 15 Years**

**P. 82 BALTIMORE**

An 18-year-old youth who dragged a young matron to his room and criminally attacked her was sentenced to 15 years in the penitentiary, Tuesday, by Judge John T. Tolson.

The sentence went to William A. Belton who was convicted on the attack charge brought by a 21-year-old married woman.

Henry Blair Jr., prosecutor, said Belton seized the woman on March 27, forced her into a rear yard where he tore off her clothing, and used part of her blouse to blindfold her.

The youth then dragged her to his room on the third floor of a house in the 400 block Dallas St. where the attack took place.

**21-Year-Old To Be  
Hanged For Rape**

**BALTIMORE, Md. — (ANP) —** 21-year-old man must pay the supreme price for raping a young mother.

Judge Herman M. Moser last week sentenced Leroy Junio White to death by hanging for raping a 20-year-old mother whose apartment he burglarized. White also was convicted of several other burglary charges.

In pronouncing sentence, Judge

"There are certain sections of Baltimore where too frequently there are reports of females going about their ultimate business

84/6

# Main Found Guilty of Raping His Sister, 16

By ISAAC JONES

Detroit — (AP)— Wilber Driver was found guilty of raping his 16-year-old sister last week before Recorder's Judge Joseph A. Gillis. He faces a possible 15 years in Jackson prison.

The "romance" between Driver and his sister, according to the girl's testimony, started in March, 1951, shortly after she came here to live with her brother to care for his pregnant wife.

The girl said her brother made the first advances to her one night in a lonely spot at Belle Isle. She said they arrived at the island about 8:30 p.m. and remained there until about 3 a.m.

The girl said her brother took her in his arms, then he asked her did she know how to love. She said Driver informed her that he was going to show her how to make love. The girl said her brother kissed and attempted to smother her in his arms, but she resisted his advances, and nothing happened that night.

She said about a week later, after her sister-in-law left the house for her job, Driver came into her bedroom. He was wearing his pajamas. He got in the bed with her and had relations.

Following the first act, the girl said, she had relations with her brother on an average of three times a week.

She said the acts always occurred in her bedroom after her sister-in-law left the house for work. Dressed in a dark green coat suit with long curly hair encircling her beautiful brown face, the girl continued her testimony in a low tone of voice before a packed courtroom.

"After the first act I told my brother if he bothered me again I was going to write and tell my mother."

The girl said her brother promised not to date her any more, but he refused to keep his word.

She said later she decided to tell her sister-in-law. She wrote a note and explained their romance and her sister-in-law called police.

The girl said her brother threatened her if she told any one about their secret romance.

Judge Gillis asked the girl why she didn't write and tell her mother at 15 she promised her bro-

ther, she replied, "I was ashamed."

The girl declared that she has never had relations with any other man besides her brother.

She came to Detroit from a small town in Alabama. She said her parents wanted her to go to school here.

Driver denied the charges.

## Child Says White Man Raped Her

Aaron Oates, 31-year-old white man drove her eight miles and raped her in a vacant house.

*Oates*

Sheriff George Grant of Autauga County said that Oates was arrested October 21. Medical examinations have not been made public. Oates has kept mum on the charge.

The girl claims that Oates, a married man with children, offered her a ride which she accepted. She says Oates, who drove her to an unoccupied house instead of her home,

two other men were in on the hold-up.

"The crime of robbery with firearms and Rex Payne's participation therein was fully established by the evidence," the opinion said.

The court also affirmed the conviction and two-year sentence of Robert Lee Higgins on a charge of robbery from a Hattiesburg hardware store.

## Court Upholds Man's Conviction in Rape Case

By THE ASSOCIATED PRESS  
The State Supreme Court today upheld the conviction and life sentence of a 28-year-old Forrest County man on charges of raping his 13-year-old stepdaughter.

Clinton Gillespie of Palmer's Crossing in Forrest County, the court opinion said, appealed the sentence on four technical grounds.

The opinion said the crime "was indeed to have been committed on Nov. 17, 1950," while Gillespie's wife, the girl's mother, was away from home.

During the trial a signed statement from the defendant was presented to the court which said that the girl had caused him into the house, threatened him with a loaded-off shotgun and forced him to have sexual relations with her.

But the stepdaughter testified that her stepfather had attempted to rape her once before when they lived in New Augusta, the preceding summer.

This was the primary ground on which Gillespie appealed, claiming his previous arrest should not have been allowed in the testimony.

In another case, the court affirmed the conviction and 20-year sentence of Rex Payne, charged with robbery with firearms in connection with a liquor establishment hold-up near Greenwood.

About \$11,000 was taken in the robbery of Dewey Ellis, called the owner of the big liquor establishment in the opinion, in addition to diamond rings. The court said

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Mississippi

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## 100,000 Francs Given To Dr. Bunche For Willie McGee's Widow

Weekly Date 1-19-52

By William Rutherford P.2

Paris (ANP).—The International League Against Anti-Semitism and Racism (Ligue Internationale Contre le Racisme et l'Antisemitisme) disclosed last week through its secretary general, Monsieur Henri-Sacha Dillot, that its members have not forgotten Willie McGee, the unfortunate Negro truck driver electrocuted in Mississippi on an alleged rape charge.

At a small cocktail party, without any publicity, the sum of 100,000 French francs was presented to Dr. Ralph Bunche — a member of the organization's honor committee — to be given to Willie McGee's widow. The money was donated by people all over France, often in sums no larger than 10 or 15 cents.

## White Man Loses Appeal in Vicksburg Conviction In Assualt On Negro Girl

ASSOCIATED PRESS  
A young white farmer convicted of kidnapping a Negro woman from a county store-yard on New Year's Day last year lost an appeal to the Supreme Court today.

The woman, Cornelius Slater, wanted early on New Year's Day, officers she had been kidnaped and raped.

Farmer Lennie B. Bevel, and his son, Stuard, who was with him on New Year's Eve hunting trip, were indicted on both charges.

The county jury found them guilty of the rape, accusation having been made of kidnapping and assault for five years, in prison.

In addition, Monday the court ruled Bevel's attack on the indictment under which he was convicted an assault and that the judge should have dismissed it.

The above, including the assault andjury

Justice Julian Alexander quoted the law under which the indictment was returned and said:

"It is not duplicitous merely because the means of carrying out the criminal involves an

Under the rape charge, the jury had three choices, life or death penalty, or acquittal.

Under the new charge of statutory rape, the maximum penalty is five years imprisonment.

## Statutory Rape Charge Filed By Grand Jury Here

H. L. Morrow, 48-year-old white carpenter, was indicted on a charge of statutory rape by a recalled session of the Hinds circuit court grand jury Monday.

Morrow had twice been tried in the court on charges of forcible rape. The first hearing resulted in mistrial and the second hearing resulted in verdict of "not guilty" as charged in his indictment.

Morrow is accused of criminally assaulting a 14-year-old Negro girl west of Jackson on May 31 after he had pretended to hire her as a baby-sitter.

The grand jury returned three other indictments in its brief session at Hinds county courthouse Monday. The 20-man inquisitorial body is headed by J. G. Pollard, local appliance dealer, as foreman. Capsules had not been served in the other cases.

Under the rape charge, the jury had three choices, life or death penalty, or acquittal.

Under the new charge of statutory rape, the maximum penalty is five years imprisonment.

## U. S. court in Mississippi convicts whites of Negro rape

MEMPHIS.—In a surprise verdict by a federal court, two white men were sentenced here last week to five years each for kidnap-attack on a 12-year-old Negro girl whom they lured away from her home on pretext of hiring her to baby-sit.

The kidnapping charge was dropped by the government, and the men convicted for violation of the Mann Act, transporting female across state lines for lewd purposes. They raped the child across the county line in Mississippi in a wood.

Both men, one of whom told the court that when he got "liquored up," I don't know just what will happen," escaped prison, or now contend no crime they are under indictment for statutory rape in Mississippi.

## White Attacker Of Matron Must Serve Term In Miss.

JACKSON, Miss. (AP)—Justice Muhammad was fine here last week when Lennie B. Bevel, white farmer, convicted for the 1950 New Year's Day kidnaping of Mrs. Cornelius Slater, lost his appeal to the State Supreme Court.

Bevel, in company with John B. Stuard, both of whom were originally charged with criminal attack, and later acquitted of the crime, were subsequently charged with the kidnapping of the woman.

Mrs. Slater on New Year's Day, in a dazed condition and half naked, wandered into a farm house where Bevel and Stuard were at the time. They fled and vanished.

Must Serve 10 Years  
A jury found Bevel innocent of attack, but later another jury convicted him of kidnaping. He was sentenced to 10 years in State prison.

The State Supreme Court overruled Bevel's plea that the indictment under which he was convicted also charged an assault and that the trial judge should have dismissed it because including the assault charges showed duplicity by the grand jury.

Not Duplicitous  
Justice Julian Alexander quoted the law under which the indictment was returned and said:  
"It is not duplicitous merely because the means of carrying out the original charge involves as an element that which would constitute a crime."

The indictment said Bevel hit his victim over the head with a pistol before forcing her into the truck and taking her into the woods.

# New change of venue sought by defendant in noted Florida case

OCALA, Fla., Feb. 11—(P)—A change of venue hearing in the second trial of Walter Lee Irvin for the rape of a young Lake County farm wife was scheduled here today.

Irvin's attorneys have agreed that if the change of venue is denied, the trial will start immediately. Judge Truman G. Futch, Leesburg, will preside at the hearing and also at the trial if the venue change is denied.

Futch has already granted Irvin one change of venue, from Tavares to here. The two towns are about 40 miles apart.

Irvin's attorneys, in asking the change, charged that prejudice against the defendant would make it impossible for him to receive a fair trial.

Irvin is one of four Negroes involved in the 1948 rape case. One was shot to death by police. Irvin and Samuel Shepherd were given life sentences and Charles Greenlee, who was only 18 at the time, was sentenced to life imprisonment.

The U. S. Supreme Court set aside convictions of Irvin and Shepherd. Greenlee did not appeal.

Shepherd was killed and Irvin wounded last Nov. 6 as Lake County Sheriff Willis V. McCall was taking them back to Tavares for a hearing in connection with the ~~the~~ trial.

A coroner's jury said McCall shot in self defense and in line of duty. McCall said the two tried to escape.

Judge Futch, in refusing to allow the statistics gathered in the poll to be entered into the court record, ordered the second trial to begin tomorrow morning in the Marion County Courthouse here. He presided at the first trial, in which Irvin and two other Negroes were convicted, and will do so again at the second.

The attempt to introduce the poll was made shortly after Judge Futch had allowed Thurgood Marshall and Jack Greenberg, attorneys for the National Association for the Advancement of Colored People, to join Irvin's counsel in the county. Last December, at a change of venue hearing in the Lake County town of Tavares, where the first trial was held, the judge refused to permit Mr. Marshall or Mr. Greenberg to take part in the proceedings on the ground that the N. A. A. C. P. had attacked Florida justice.

## Hearing in Marked Contrast

The pretrial hearing, which lasted until late in the day, was held without incident, in marked contrast to the opening of the first trial in Tavares, when Judge Futch ordered spectators searched and courtroom doors locked.

A hundred or more Negroes watched from the gallery of the courtroom, and several hundred white real-

fair trial impossible. Mob terrorism broke out in the small central Florida town while the Negroes were in jail and was quelled only after the National Guard had been called out.

Julian Laurence Woodward of 150 East Fifty-second Street, New York, who described himself as a researcher for Elmo Roper Associates and a former psychology professor at Cornell University, spent several hours on the stand describing how the survey was conducted. He said it had been prepared at the request of the N. A. A. C. P. in four Florida counties—Marion, Gadsden, Lake and Jackson—to determine "the attitudes of the residents in respect to the trial."

J. W. Hunter, state attorney who headed the prosecution at the first trial, asked Mr. Woodward at one point why the survey teams had not "taken the names from the voting lists instead of asking every Tom, Dick and Harry."

"There are only fifteen women in this county qualified to serve on a jury," Mr. Hunter remarked. "Do you think you got a fair sample of what a jury would do?"

Mr. Woodward explained that the survey was made on a population basis and was not intended as "jury sample." The prosecutor drew a daughter from the spectators when he asked whether the Roper organization had correctly predicted the outcome of the 1948 Presidential election, and Mr. Woodward replied "We predicted wrong."

## Negro Witnesses Testify

During the afternoon, the prosecution called twenty-four residents of the county, including five Negroes, to testify to the absence of racial tension in the county. The Negroes included a physician, a dentist and a minister.

Mr. Marshall, who questioned several of the Negro witnesses sharply, drew admissions from them that none had served on juries and also that no Negroes had held public office in this city in recent years. But all said that for the Advancement of Colored People, to join Irvin's counsel in the county.

Irvin, who was brought here from the state penitentiary at Raiford, still is recovering from wounds received last November when he and another convicted in the case, Samuel Shepherd, 25, were shot by Lake County Sheriff Willis McCall while the two men were being taken from Raiford to Tavares for a hearing. Shepherd was killed. A coroner's jury ruled that the sheriff had fired in self-defense.

Charles Greenlee, 18, was found guilty in the first trial and was sentenced to life imprisonment. Supreme Court Justice Robert H. Jackson, in an opinion in which Justice Felix Frankfurter joined, declared that the atmosphere of violence in Groveland had made a

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## Mississippi Supreme Court Upholds Conviction In Vicksburg Rape Case

Jackson, Miss., Feb. 5 — (DSN)

The Mississippi State Supreme Court, in a decision handed down here Monday upheld the conviction of a white farmer who had been sentenced the 18 years in the state prison on a charge of kidnapping during only the famous Vicksburg rape case.

Lonnie B. Bevel, and another white man, was arrested for a day kidnapping, on the night he forced her out of a country store, took her to the place where they raped her, and

her until she was thought to be dead. The crime came to light on the morning when the woman, naked and dazed found her way to the home of a nearby white farmer who reported the incident to the Warren County Sheriff.

In the trial on the rape charge the indictment against Stroud was dismissed, and a jury found Bevel not guilty.

Immediately following the "not guilty" verdict for Bevel a new charge of kidnapping was made by the Warren County District attorney, and in the trial that followed Bevel was sentenced to 10 years in prison.

In its action Monday the court overruled Bevel's attack on the indictment under which he was convicted. Bevel claimed it also charged an assault and that the trial judge should have dismissed the charge including the assault charge showed duplicity by the grand jury.

Justice Julian Alexander quoted the law under which the indictment was returned and said: "It is not duplications merely because the means of carrying out the charge involves as an element that which would constitute

## Kidnap Charge Is Upheld By Miss. Court

JACKSON, Miss. — The State Supreme court last week upheld the conviction of Lonnie B. Bevel, a white farmer, on a charge of kidnapping a Negro woman from a Warren County store-yard, New Year's eve, 1950.

The victim wandered naked and half naked into a farmyard early on New Year's Day, reporting that she had been kidnapped and raped by Bevel and John Stroud who was with him on a hunting trip. The two men were arrested and indicted on both charges.

A Warren County jury found them innocent of the rape accusation. Bevel was later convicted of kidnapping and sentenced to 10 years in the state prison.

## Mississippi Hounds Mrs. Willie McGhee, CRC Says

WASHINGTON, D. C.— (NNPA) — A delegation from New York, representing the Civil Rights Congress, last Thursday called on the Civil Rights Section of the Justice Department to complain of alleged persecution of Mrs. Willie McGee, whose husband was executed in Mississippi for the alleged rape of a white woman.

The Justice Department promised an investigation by the Federal Bureau of Investigation and that it would try to get in touch with Mrs. McGee and confirm the report the delegation had made.

No commitment was given as to what course of action the Justice Department would take, if an investigation confirmed the report.

According to the delegation, the Civil Rights Congress has been informed by Mrs. McGee that she has been arrested in Jackson, Miss., since her husband was executed, her mail confiscated, and several days ago, officials broke into her house, searched it but found nothing.

Members of the delegation were Mrs. Aubrey Grossman, Allen McKenzie, Mrs. Stella Shepherd, and Mrs. Annell Reichbach, all of New York.

A SPOKESMAN for the delegation said the Congress was also informed that the officers returned with a warrant and said they were looking for bootleg liquor. In the process of the search, the spokesman stated, the officers went directly to a hatbox and found a ticket Mrs. McGee had for transportation to Chicago. She is reported to want to leave Jackson because of her harassment there, but has had to stay until now because of illness of her children.

Now that she has decided to go, the Civil Rights Congress spokesman said, state officials do not want her to leave. A telephone call from her to the Congress last Thursday, he said, reported that three men were outside of her home where they had been watching her since early morning.

THE ONLY WAY she can communicate with anyone, the spokesman said, she has to go to a bar or restaurant to make a telephone call.

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Missouri

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# Cops Assault Case

*Argus P. 1 Fri. 10-3-52*

## Closed, — Frazier

R70 (Q) MT  
Assistant Circuit Attorney Clark Frazier has indicated that as far as he is concerned, the case against two white police officers accused of criminally assaulting two Negro women July 15 is a closed issue.

A grand jury voted a ~~no~~ true bill September 23 on assault charges against Cpl. Bernard Callanan and Patrolman John J. Cahan.

However, the ARGUS disclosed last week that four key witnesses for the victims did not testify before the grand jury. Two women who were subpoenaed and they were not called to the grand jury room. And two men said they received no formal call to appear at the hearing.

Circuit Attorney Thomas Dowling told the ARGUS that if new evidence is disclosed it could certainly be placed before the grand jury. He said it would be up to Frazier, who handled the case, to make the decision.

When asked Wednesday why Marvin Jones of 1420 North 15th St., who was with the two women prior to the alleged attack, was not called to testify before the grand jury, Frazier said that if he (Jones) had been interviewed he would have been present.

Frazier was then reminded that Jones received no subpoena. He said the office of Sheriff Thomas Callanan was responsible for issuing them. The assistant circuit attorney added that a deputy sheriff informed him that all witnesses received subpoenas.

Frazier refused to answer a direct question as to whether testimony by Jones, or the other key witnesses bypassed at the grand jury hearing, would constitute new evidence. He said "if I answer that question I would be disclosing what went on in the grand jury room."

Witnesses who did not testify before the grand jury were Mrs. Normie Mae Buchanan of 1424 Blair Ave., Miss Cecille Bell of 1424 Blair Ave., and Willie Robinson.

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## Queens Strangler at Bay



Oliver Leonard Freeman, 17, right, stands with detectives after he confessed strangling Mrs. Josephine Brown July 26. With him are Assistant Queens District Attorney Thomas Cullin, left, and Detective John Sisiano.

United Press Photo

## Youth, Attacker Of 20 Women, Is Grilled in Death

Arrested by Brooklyn Police, He Is Taken to Scene of Strangling in Queens

By Jack Tait P 3

A seventeen-year-old youth, known to his neighbors as "the bat man," confessed yesterday afternoon to twenty to twenty-five attacks on women in Brooklyn and Queens streets and last night he was being questioned about the unsolved murder on July 26 of Mrs. Josephine Brown, twenty-three-year-old expectant mother. Mrs. Brown was found strangled in a sardine in Jamaica Estates, Queens.

The youth, Leonard Oliver Freeman, was seized by three detectives at 5 a.m. yesterday in the Rockwood section of Brooklyn

when the officers said, he plugged and attempted to rape Mrs. Helen Graber, forty-two, who works and lives in as a maid at 97-06 89th Ave., Forest Hills, Queens.

Attracted by Mrs. Graber's screams, the detectives moved in from a patrol car and beat the youth into submission with gun butts and took him to the Ralph Ave. station in Brooklyn.

At the station, police said, the youth admitted he had committed "between twenty and twenty-five" such assaults. He had no police record.

Freeman was taken to the Hillcrest station in Queens yesterday afternoon and later was driven to the spot in Kingston Place near Hillside Ave. where Mrs. Brown's body was discovered. Freeman also was taken to the scenes of several unsolved rape cases in Queens and then police resumed their questioning.

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Police said Freeman, who lived by himself in a furnished room at 169-34 116th Rd., Jamaica, Queens, gave a detailed account of his marauding.

When he came home from his job as a wrapper in a Long Island City candy factory, Freeman, they said, would go to bed for a few hours. Then around 11 p.m., on the nights he chose to prowl, neighbors would observe him leaving the rooming house. He would be dressed in his best clothes. This nocturnal habit won him the tag, "the bat man."

Freeman told police he would walk the streets or frequent subway and bus stops until he encountered an unaccompanied woman who attracted him. Then he would trail her. Sometimes the chase took him miles in buses and subway trains. When he was able to track his intended victim to a secluded spot, he attacked her.

Never Robbed Victim

"But I never robbed them, never robbed them at all," Freeman told police at the Ralph Ave. station.

At 11 p.m. Saturday, police said, Freeman left his lodgings. In the mean time Mrs. Graber, mother of two grown children—a twenty-three-year-old married daughter and a twenty-five-year-old son—was visiting friends in Jamaica.

Some time around 4 a.m. Mrs.

Graber was preparing to leave and go to the home of her sister, Miss Nora Stanton, of 27 Furman Ave., in the Bushwick section of Brooklyn, where she was staying for a few days.

Mrs. Graber was winding up a week's vacation. She was due to return to her employment last night at the home of Mr. and Mrs. Ving Merlin. Mr. Merlin directs a violin orchestra and is appearing in the Desert Inn, Las Vegas, Nev. At the Forest Hills address were his wife, Nina, a former dancer with the Ballet Russe de Monte Carlo, and their two children, Paulette, six, and Cleve, sixteen months.

The trails of Mrs. Graber and the youth met at Jamaica Ave. and Parsons Boulevard in Jamaica, where Mrs. Graber boarded a bus. Freeman sat behind her on the bus, police said, and when Mrs. Graber left the bus at Broadway and Aberdeen St., one block short of Furman Ave., Freeman followed her.

### Caught Up With Woman

The woman, 5 feet 5 inches tall and weighing 135 pounds, quickened her pace as she turned into Furman Ave. and headed for her sister's house and 150 feet away. But the 160-pound youth caught her.

He came up behind Mrs. Graber placed his left hand across her mouth, jerked her head back and hit her in the eye with his right fist. On the second finger of his right hand, he was wearing a special ring used by workmen who tie packages and the like—it has a little pointed knife protruding from the setting and is used to cut twine or rope.

Twice the assailant knocked Mrs. Graber down and lacerated her face with his ring. Mrs. Graber screamed repeatedly.

A police radio car was in the neighborhood and in a minute three detectives were chasing the attacker up the street. They caught him, but he fought with a fury. Finally the detectives pulled out their revolvers and clubbed him. The detectives were Hugh O'Brien, Michael Ann and Joseph Fitzgerald.

Mrs. Graber was treated for shock and lacerations of the eyes and face. She was sent home to her sister.

8423

## ~~Scottsboro Boy~~ Faces Rape Trial

ALBANY, N. Y. — (AP)—One of the famous Scottsboro boys of two decades ago went on trial last week on charges of raping a 13-year-old girl last June.

The defendant is James Andrew Wright, 39, now being defended by Jawn A. Sandifer of New York, an NAACP attorney. Sandifer charged in his opening address that his client was the "victim of O. J. Maistic conspiracy" through the vengeance and vindictiveness of "corroded women."

## ALBANY JURY CLEARS SCOTTSBORO' FIGURE

ALBANY, Feb. 19.—James Andrew Wright, the "Scottsboro boy," was cleared today of a charge that he raped a 13-year-old Negro girl. An Albany County Court jury returned the verdict after deliberating an hour and 20 minutes.

The 39-year-old Negro was served immediately with an Alabama warrant charging parole violation and was remanded to jail.

His name here in 1931, on parole from Alabama, where he had served part of a 20-year prison term. He was one of nine Negroes convicted of raping two white women near Scottsboro, Ala., twenty years ago. The celebrated case took years in the courts.

Wright had been charged here with first-degree rape, but during the trial Judge Martin Schenck held that the charge had not been substantiated. He directed the jury of eight women and four men to consider only a charge of second-degree rape.

The defense lawyer, Jawn A. Sandifer of New York City, representing the National Association for the Advancement of Colored People, said that he would fight Wright's removal to Alabama.

The defendant was accused of raping the Albany girl last July. He told the jury that Wright had warned that "if I told anybody about him he would kill me."

Wright maintained that he was beaten, stomped and drugged by police after his arrest. He was working in a knitting mill in nearby Cohoes when he was taken into custody.

Surry Court Justice MacAllister substantiated Sandifer's contention and indicated he would grant a writ of habeas corpus obtained by the attorney.

When the Alabama authorities were informed by telephone of the

## Alabama Drops Charge Of Parole Violation.

By ARNOLD de MILLE

ALBANY, N. Y. — A warrant issued for the arrest of James Andrew Wright of the "Scottsboro Boys" fame by Alabama authorities was withdrawn last Thursday after the 39-year-old Wright had been freed by a jury on charge of raping a 13-year-old Albany Negro orphan girl last summer.

Wright, who was the last of the "Scottsboro Boys" to be released from the famed Kilby Prison, was arrested here last July and charged with first degree rape.

During the 6-day trial, however,

Judge Martin Schenck maintained that the charge had not been substantiated. He directed the jury to consider only the charge of 2nd-degree rape.

The jury, 8 women, all mothers and 4 men, acquitted Wright Tuesday after one hour and 20 minutes deliberation.

The Albany County Court jury returned the acquittal after deliberating an hour and 20 minutes.

The 39-year-old Negro was served immediately with an Alabama warrant charging parole violation and was remanded to jail.

He came to Albany in 1931, on parole from Alabama, where he had served part of a 20-year prison term. He was one of nine Negroes convicted of raping two white women near Scottsboro, Ala., twenty years ago. The celebrated case took years in the courts.

Wright was paroled in 1950 from Kilby Prison after serving 10 years of a 20-year prison sentence as one of the nine Negroes accused of raping two white women in 1931. He came to Albany in 1931, on parole from his native state.

Wright had been charged with first-degree rape, but during the trial Judge Martin Schenck held that the charge had not been substantiated. He directed the jury of eight women and four men to consider only a charge of second-degree rape.

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Surry Court Justice MacAllister substantiated Sandifer's contention and indicated he would grant a writ of habeas corpus obtained by the attorney.

When the Alabama authorities were informed by telephone of the

judge's intention, the warrant was reluctantly withdrawn.

"There is no doubt about it," added Sandifer, "Alabama was after him. If he had been convicted, there's no question but that the state would have sent him back there."

Wright was freed Thursday for the second time in 36 hours. Accompanied by Sandifer, he immediately left Albany for New York City, where he hopes to locate a brother.

## 'Scottsboro Boy' Freed in Morals Case

ALBANY, N. Y., Feb. 19.—(AP)—"Scottsboro Boy" James Andrew Wright Tuesday was cleared of a charge that he raped a 13-year-old Negro girl.

The Albany County Court jury returned the acquittal after deliberating an hour and 20 minutes.

The 39-year-old Negro was served immediately with an Alabama warrant charging parole violation and was remanded to jail.

He came to Albany in 1931, on parole from Alabama, where he had served part of a 20-year prison term. He was one of nine Negroes convicted of raping two white women near Scottsboro, Ala., twenty years ago. The celebrated case took years in the courts.

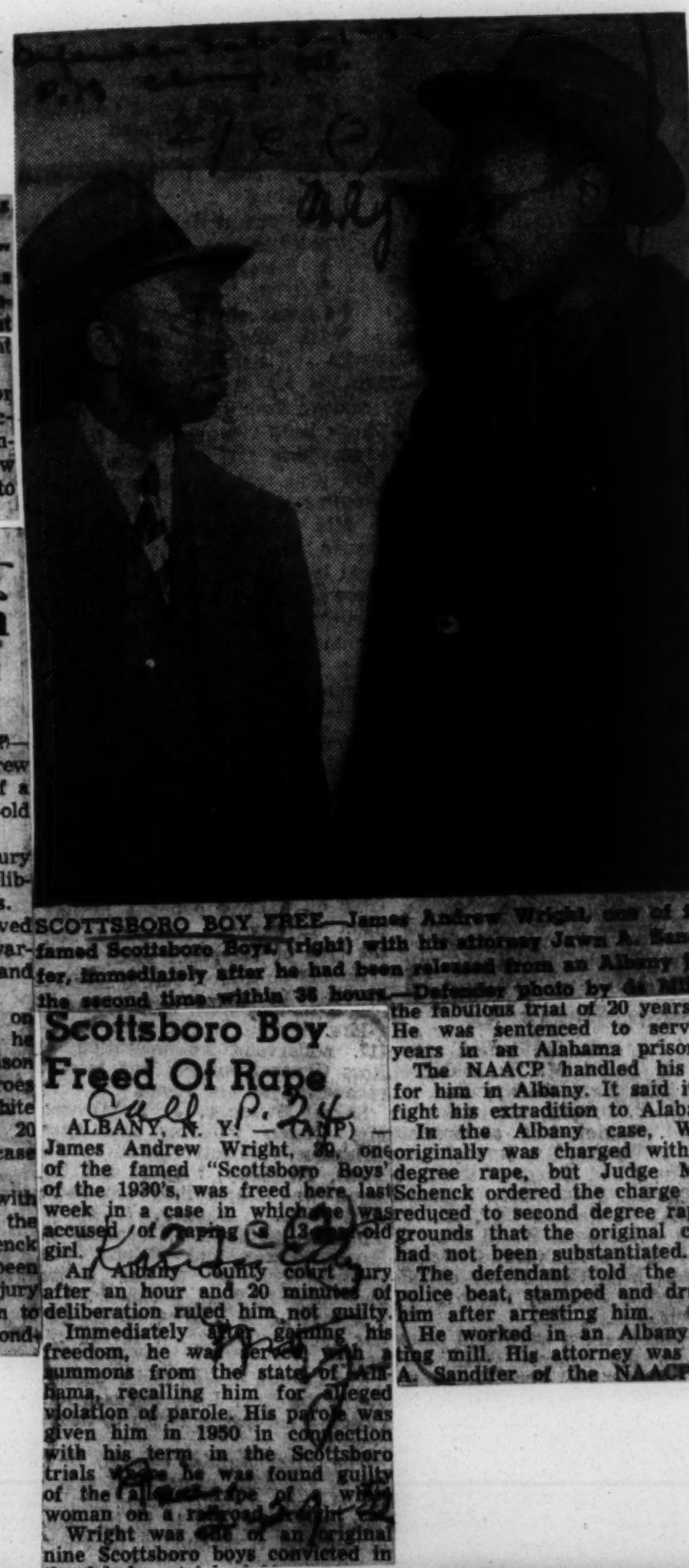
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When the Alabama authorities were informed by telephone of the



**SCOTTSBORO BOY FREE**—James Andrew Wright, one of the famed Scottsboro Boys (right) with his attorney Jawn A. Sandifer, immediately after he had been released from an Albany jail the second time within 36 hours. Defense photo by de Mille.

**Scottsboro Boy Freed Of Rape**

ALBANY, N. Y. — (AP)—James Andrew Wright, 39, one of the famed "Scottsboro Boys" of the 1930's, was freed here last week in a case in which he was reduced to second degree rape on grounds that the original charge had not been substantiated.

An Albany County court jury after an hour and 20 minutes of deliberation ruled him not guilty. Immediately after gaining his freedom, he was served with summons from the state of Alabama, recalling him for alleged violation of parole. His parole was given him in 1950 in connection with his term in the Scottsboro trials where he was found guilty of the rape of a white woman on a railroad train.

Wright was one of an original nine Scottsboro boys convicted in

the fabulous trial of 20 years ago. He was sentenced to serve 99 years in an Alabama prison.

The NAACP handled his case for him in Albany. It said it will fight his extradition to Alabama.

In the Albany case, Wright originally was charged with first-degree rape, but Judge Martin Schenck ordered the charge to be

reduced to second degree rape on

grounds that the original charge had not been substantiated.

The defendant told the court

police beat, stamped and drugged him after arresting him.

He worked in an Albany knitting mill. His attorney was Jawn A. Sandifer of the NAACP.

# Youth Preying On Women Held As Queens Killer

Read About the Murder,  
Didn't Know, He Says,  
Victim Was His Victim

P. 2

By Jack Tait

A seventeen-year-old youth, five feet eight inches tall and weighing 160 pounds, stared vacantly around Queens Adolescent Court in Ridgewood yesterday as he was charged with the murder by strangulation of Mrs. Josephine Brown, twenty-three-year-old expectant mother, whose body was found July 28 in Kingston Place, a sparsely populated street in Jamaica Estates, Queens.

Magistrate Coming McKenney ordered that the youth, Leonard Oliver Freeman, who police said, has confessed to twenty or twenty-five assaults on lone women in Queens and Brooklyn, be held without bail for a hearing Monday.

Freeman lived by himself in a furnished room at 159-34 116th Rd., Jamaica, Queens, and has been described by his neighbors as "the bat man" because of his penchant for nocturnal prowling. He was taken to the scene of Mrs. Brown's murder early yesterday when, according to police, he re-enacted the fatal attack on the young woman. The youth was captured by three detectives in the Bushwick section of Brooklyn about 5 a. m. Sunday as he was beating a forty-two-year-old woman on the sidewalk.

## The Death of Mrs. Brown

According to his statement released by police, the youth did not actually confess to the murder of Mrs. Brown, who was slain after she had left her Mineola home to shop in Jamaica for maternity clothes. But he did admit, police said, that he left Mrs. Brown—"she gave me more fight than any of the others"—on the sidewalk with her feet in the gutter."

Also in court was Freeman's stepfather, Charles Farmer, a bus driver, of 111-29 167th St., Jamaica. Mr. Farmer told reporters he married the youth's divorced mother, Mrs. Ivy Farmer, about ten years ago. She is visiting friends in Georgia.

Mr. Farmer said Freeman left home around last Christmas to live by himself. He said the youth went through school up to the senior class in a Jamaica high school. Freeman, his stepfather said, always seemed to be "a normal kid."

Mrs. Farmer said he had no idea of the youth's criminal bent.

Freeman's statement on his assault on Mrs. Brown, as released by the police, said in part: "I was having something to eat in a restaurant at 169th St. and Hillside Ave., Jamaica, when I saw a woman coming out of the subway. I decided to follow her. I grabbed her from behind. She began to struggle. We both fell. I had my left hand on her throat. She screamed and said, 'Don't do that.'

"She began to scream louder and louder. I grabbed her lower jaw and gave her a punch."

"I left her with her feet in the gutter. Her handbag was there and a brown paper bag. I know it was a No. 10 bag because I worked in a butcher shop."

## Then He Went Home

Then the statement related how Freeman walked to the corner of Hillside Ave., a half-block away, and went home by bus.

"When I left the woman," the statement said, "I looked back over my shoulder and saw that she wasn't getting up. Two days later I read in a newspaper that Mrs. Brown had been found strangled but I didn't know that was the woman I had followed that night."

The slim youth, police said, insisted he never raped or robbed his victims.

A number of suspects have been questioned in the last month concerning the murder of Mrs. Brown. The dead woman's husband, Russell Brown, of Mineola, voluntarily submitted to lie detector tests on Aug. 11 and 12, and was cleared of any part in the slaying.

Freeman, who worked in a candy factory in Long Island City, was nabbed by police when he assaulted Mrs. Helen Gruber near her sister's home at 27 Furman Ave. Mrs. Gruber works as a housekeeper at 97-06 69th Ave., Forest Hills, Queens.

## Tells of Beating Women



World Tribune—United Press  
Leonard Oliver Freeman



Mrs. Josephine Brown pictured a short time before she was strangled. Her death precipitated a wide-scale manhunt for molesters of women and children. Mrs. Brown expected a baby in the fall.

## Seats At A Premium On 'Colored Side' Of Court



### White Man Guilty Of Rape In Negro Co-ed

ALMANSE, N.C. — (UPI) — In a rare case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro co-ed. He was sentenced to eight to 10 years in the penitentiary.

The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance County Superior court.

The complainant was Mildred Wagstaff, a Shaw University junior, who charged that the man committed the attack upon her while she was working in his home as a maid in place of her sister.

Reid was indicted on complaint of Miss Mildred Wagstaff, a Shaw university junior, who charged that the man committed the attack upon her at his home while she was working in his home as a maid in place of her sister.

Reid gave notice of an appeal to the State Supreme Court. He was unable, however, to post bond, and was committed to jail.

### White Jury Finds White Man Guilty In Rape of Negro

ALMANSE, N.C. (AP)—In a rare case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro co-ed. He was sentenced to eight to 10 years in the penitentiary.

The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance County Superior court.

Reid was indicted on complaint of Miss Mildred Wagstaff, a Shaw university junior, who charged that the man committed the attack upon her at his home while she was working in his home as a maid in place of her sister.

Attorneys for the

Mrs. Johnson of Fort Bragg, N.C., while the defendant was arraigned this week for rape in the bill of indictment. The supreme court members of the 51st Alabama Infantry Regiment could return a verdict based on a lesser offense or a verdict of not guilty.

Reid gave notice of an appeal to the State Supreme Court. He was unable, however, to post bond, and was committed to jail.

### Trial Date Set For 6 Chulists Accused Of Raping Mother Of 2 In N.C.

FORT BRAGG, N.C. — The six white paralegals who are accused of brutally raping a young colored mother, who is the wife of

Seats were at a premium on the 'colored' side of the Moore County Courthouse at Carthage, N.C., during the trial of three Negroes, admitted

of the rape of Mrs. Luisa Artes, wife

of Mrs. Luisa Artes, wife

during recess, but in a short while returned and filled their side. The corridors outside were filled with persons who could not get in.—(AFRO Staff Photos.)

during recess, but in a short while returned and filled their side. The corridors outside were filled with persons who could not get in.—(AFRO Staff Photos.)

of the six soldiers

as the

returned from church service.

When news about the attack

prison

the men from more severe Almanse, and Pvt. Floyd Q. Breland

Box 282, Leakesville, Ky.

#### Confession Report

According to previous reports the men are said to have confessed the attack on Mrs. Luisa M. Artes who makes her home in Baltimore with her two children while her older husband is in service.

Mrs. Artes was visiting her home near Carthage when the war

## 3rd Trial Delayed

After a trial which was adjourned by court officials from Caswell County, N.C., last November, the defense has been unable to get a trial date set for the third trial.

A battery of defense attorneys, headed by the NAACP, and including C. O. Pearson's office,

Durham and mapped the strategy for the November hearing.

**NO INDICATION** was given as to the legal procedure agreed upon for the next hearing, but it was hinted by Robert Carter, of the national NAACP office, that the course of action would be different from that used in the two previous trials. — 22-52

Atty. E. F. Upchurch Jr., white attorney of Yanceyville and High Point, told the Courier that he did not believe that the pressure of outside interest would effect the decision. Mr. Upchurch said, "I believe the case will be decided in the tradition of North Carolina law."

Other attorneys for the defense are E. F. Upchurch Sr., C. O. Pearson and Martin A. Martin of Richmond, Va.

The internationally publicized "assault at seventy-five feet" case was first heard in the Caswell County Recorder's Court in June, 1951.

**MACK INGRAM**, a farmer, father of nine children, was originally accused of "assault with intent to commit rape." The court reduced the charge to "assault on a female," and Ingram was convicted and sentenced to serve two years in the State Prison. Ingram appealed and was freed on bond.

At the hearing in the Caswell County Superior Court in November the State of North Carolina renewed the original charge and tried Ingram for "assault with intent to commit rape." Judge J. A. Rousseau ruled out the rape attempt and instructed the jury to consider only the assault aspect.

A jury of eight whites and four Negroes was unable to reach a verdict and a mistrial was declared whereupon Ingram was ordered to be tried during the March term of the Caswell County Superior Court.

## Jail White Man For Rape

GRAHAM, N.C.—A white man was sentenced to jail for rape in the Bill of Indictment under North Carolina law the jury could return a verdict based on a lesser offense or a verdict of not guilty.

Judge A. B. Clegg, who sentenced the defendant, said he might be in jail for eight to 10 years if he were ever released on bail.

Reid gave notice of an appeal to the State Supreme court. He was unable, however, to post bond and was committed to jail.

According to testimony, Mildred Wayman, 22, was working as a maid in Reid's home in her sleep when the defendant attacked her.

Miss Wayman, who was caring for the Reid's children while the parents worked the night shift at a textile mill, statements were that Reid returned home when he was supposed to have been at work.

Many in this area believe that this is not only one of the first trials that a white man has been convicted of raping a colored woman, but that it also is one of the very few times that one has ever gone on trial for the offense.

Attorneys for the prosecuting witness were C. J. Gates and M. W. Johnson of Durham, N.C. Reid was unable to post the \$5,000 bail required in the appeal and was taken to the county jail.

**White Man Found Guilty Of Assault**

ALMANSA, N.C.—In a rare case for the state, a white factory worker last week was convicted of assault with intent to commit rape of a Negro woman. He was sentenced to eight to 10 years in the penitentiary.

The defendant was Johnnie Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance County Superior Court.

Reid was indicted on a charge of rape of Miss Mildred Wayman, a now university junior, who claimed that the man committed the assault on her at gun point while she was working in his home as a maid in place of her mother.

The defendant, who was the son of

## GI Awaits Trial On Two Charges Of Rape

**FAYETTEVILLE**, N.C.—A Fort Bragg soldier, already awaiting trial on charges of first degree burglary and rape, last week was bound over to Superior court on the second such charge in three months when a 23-year-old expectant mother identified him as the man who broke into her home and attacked her recently.

Cpl. Glenn Raymond Jenkins, Jr., a paratrooper from Philadelphia, appeared in Cumberland Superior court last September in connection with the rape of a young Fayetteville housewife, who testified that he entered her bedroom and forced her to submit to his will.

In another case, Melvin A. Lightfoot, 21, of 2211 10th st. nw., was sentenced to serve from five to 15 months in prison for operating a numbers lottery.

Two persons were sentenced for attempting abortion operations. They are listed as Mrs. Telzora Grimes, 31, of 120 F st. sw., who received seven to 21 months in prison and Mrs. Fannie Mae Ashton, 43, of 1620 4th st. nw., who received six months to two years imprisonment.

Robert Starks, 19, of 94 Fenton ct. nw., was given one to three years in prison for breaking into a store at 809 H st. ne., and stealing \$900 in cash and clothing.

Harry C. Young, 26, of 505 2d st. sw., who pleaded guilty to assaulting Walter McD. Miles of 498 F st. sw., with a loaded pistol, was given three to nine years in prison. Miles was shot in the forehead but recovered.

**Mother's Rape Gets Man 22, 2 to 8 Years**

Floyd C. Raper, 22, of Indianapolis, N. C., was sentenced



**THIS FAMILY IS NEWS**—It isn't often that a Southern sharecropper family becomes international news, and Mack Ingram, "cropper," father of nine children in Yanceyville, N. C., has said: "I sure'll be glad when all this fuss is over." Part of

his family is shown with him, all clean and neat, but wearing the badge of serfdom. They are, left to right: Willie Houston, 13; Ossie, 8; James Earl, 5; Mattie Bell, 10, and Barbara Jean, 6. Mrs. Ingram is holding Larry Junius, 11 months. In the rear is Mack Ingram.

minutes to convict the lanky, 45, they will appear. year-old father of nine under a law which provides that actual intended to assault the teen-aged physical contact has no bearing girl, was arrested after she said an assault if the defendant In he stared at her "curiously" and tended harm. Under the conviction, Ingram faces a prison sentence up to two years. Sentence will be passed to-morrow. *Wed. 11-12-52*

Ingram's attorneys have said

plowed cornfield on June 4, 1951.

"The word 'leer' wasn't her language," defense attorney Fred Upchurch said: "It's a lawyer's word —born in the conference room."

Under cross-examination the girl admitted she did not see Ingram actually chase her or run. She said he did not speak to her.

Ingram was convicted of assault in Recorder's Court here and was sentenced to two years. When he appealed to Superior Court a grand jury indicted him for a felony, assault with intent to commit rape, but the charge was reduced by court order. The felony charge carried a maximum 15-year sentence.

The trial here took on international implications when it became a subject for Communist propaganda and pressure.

Judge Frank Armstrong denied a motion to disqualify the entire panel of jurors called for this term on grounds that Negroes were excluded, a motion to move the trial to another county or bring in an outside jury and to squash the original Superior Court indictment for assault with intent to commit rape. The original indictment is on the record although the charge has been reduced.

## Dad of 9 Found Guilty Of 'Leer' Attack on Girl

YANCEYVILLE, N. C., Nov. 11—(UP)—An all-white jury convicted Negro sharecropper Mack Ingram today of assault by "leering" at a shapely young white girl at a distance of 60 feet. The jury of farmers took only 58

minutes to convict the lanky, 45, they will appear. year-old father of nine under a law which provides that actual intended to assault the teen-aged physical contact has no bearing girl, was arrested after she said an assault if the defendant In he stared at her "curiously" and tended harm. Under the conviction, Ingram faces a prison sentence up to two years. Sentence will be passed to-morrow. *Wed. 11-12-52*

Ingram's attorneys have said

The girl, now a 19-year-old housewife, said Ingram "leered at me so it frightened me" and she ran from him across a freshly-

# 14-Year-Old Baby Sitter Complainant

Man Gets 15 Months Suspended Sentence, Must Pay Girl \$500

CHAPEL HILL, N. C. — A white man, arrested on a charge of assault with intent to rape upon a 14-year-old colored girl, got off with a 15 month suspended sentence and orders to pay his intended victim \$500 when convicted on an amended charge of simple assault in Recorder's Court here last week.

The penalty the prosecuting attorney said, "will meet the ends of justice in this case."

JACK LLOYD, of Carrboro, pleaded no contest in Chapel Hill Recorder's Court Oct. 28 to a charge of an assault upon a female which was amended from the original and more serious count.

The World War II veteran and father of one child, was charged August 18 with committing assault on Shirley Reavis, after he had allegedly hired her as a baby-sitter.

Attorney James R. Patton, prosecuting attorney, said that his investigation into the matter showed that Lloyd apparently was looking for a baby-sitter. He found one girl who refused him when he put certain proposals to her.

HE TOOK THIS girl home and picked up the Reavis girl, the attorney continued. Driving about a mile out of town, he began fondling the girl and suggested that they have sexual relations.

The girl escaped from the car and ran. Lloyd followed her to the State Supreme court. He was unable, however, to pose again. She escaped the second time and ran to a store in Victory Village where she called her mother.

The prosecutor further stated that as the prosecuting attorney, he recommended that

the charge be amended to simple assault.

THE DEFENDANT'S lawyer, Bonner D. Sawyer, Hillsboro, said that his client was awaiting to enter McGuire General Hospital where he is to take treatment for a head injury sustained during the war.

The white man was sentenced to 15 months on the roads, suspended on two years good behavior, and ordered to pay Miss Reavis \$500, which Patton said, "will meet the ends of justice in this case."

## White Jury Finds White Man Guilty In Rape of Negro

ALMANSE, N.C. (APN) —

In a rare case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro co-ed. He was sentenced to eight to 10 years in the penitentiary.

P. 1 27e (2) The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance county Superior court.

Reid was indicted on complaint of Miss Mildred Wagstaff, a Shaw University junior, who charged that the man committed the attack upon her at gun point while she was working in his home as a maid in place of her sister.

The attorney for the presenting witness were C. Jerry Gates and M. E. Johnson of Durham, N.C.

While the defendant was tried for rape in the bill of indictment, under North Carolina law the jury could return a verdict based on a lesser offense or a verdict of not guilty.

Reid gave notice of an appeal to the State Supreme court. He again. She escaped the second time and ran to a store in Victory Village where she called her mother.

The prosecutor further stated that as the prosecuting attorney, he recommended that

## Negro 'Leered' at Girl 60 Ft. Off, Is Convicted in North Carolina

YANCEYVILLE, N. C., Nov. 11 (UPI) — An all-white jury convicted a Negro sharecropper, Mack Ingram, today of assault by "leering" at a shapely young white girl at a distance of sixty feet.

The jury of rural settlers took only fifty-eight minutes to convict the forty-five-year-old father of nine children under a law which provides that actual physical contact has no bearing on assault if the defendant intended harm.

Under the conviction, Mr. Ingram faces a prison sentence up to two years. Sentence will be passed tomorrow. Mr. Ingram's attorneys have said they will appeal the conviction.

Mr. Ingram, who has denied today that he intended to assault the teen-aged girl, was arrested after girl, the former Willie Jean Bos, she said he stared at her "curiously" and walked rapidly after admitted she looked up the word her across a field as if he was "leer" in a dictionary. The court trying to cut me off." He did not sustain an objection when Mr. Upchurch asked her to demonstrate a "leer."

Ran Across Field At one point she was asked to look at Mr. Ingram standing at wife, said Mr. Ingram "leered at the end of a fifty-foot tape measure so it frightened me" and she runs. She said she could see him ran from him across a freshly plowed cornfield on June 4, 1951. The incident.

The case went to the jury after final arguments that took three hours during which the state said "No, he isn't," she answered. Mr. Ingram intended to corner the girl in a woods adjoining the field.

However, defense attorney, as asserted that Mr. Ingram had proclaimed yesterday that Mr. Ingram could not receive a fair trial because of Left-wing attacks she was a boy. The girl was wearing blue jeans, a checkered shirt, made on Caswell County officials a straw hat and was carrying a hand hoe.

"The word 'leer' wasn't her language," Defense Attorney Fred Upchurch said. "It's a lawyer's word born in the conference room."

Under cross-examination the girl admitted she did not see Mr. Ingram actually chase her or run. She said he did not speak to her.

When Mr. Upchurch asked her to show how Mr. Ingram was looking at her from his car, she stuck her head over Mr. Upchurch's arm.

"Had Head Out Window" The girl, who was seventeen when the incident occurred, said "he was coming up the road real slow, about five miles an hour. He kept watching me. He had his head out the window."

She said Mr. Ingram was driving on the wrong side of the road and not watching where he was going, and kept watching her until he was 100 feet past her.

"He still had his head out of the

window," she said.

When she heard the motor stop, she said "I started running as fast as I could."

She said she saw Mr. Ingram "walking at a rather fast pace."

Mr. Ingram previously was convicted of assault in Recorder's Court here for the same incident and was sentenced to two years. When he appealed to Superior Court a Grand Jury indicted him for a felony, assault with intent to commit rape, a charge that carried a maximum fifteen-year sentence.

A jury which included four Negroes could not agree, resulting in a mistrial on Nov. 16, 1951. The charge was reduced to the lesser one on which he was convicted.

Under cross examination, the girl, the former Willie Jean Bos, she said he stared at her "curiously" and walked rapidly after admitted she looked up the word her across a field as if he was "leer" in a dictionary. The court trying to cut me off." He did not sustain an objection when Mr. Upchurch asked her to demonstrate a "leer."

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"Is he leering at you now?" Mr. Upchurch asked.

"No, he isn't," she answered. The trial became a subject for Communist propaganda and pressure. Defense attorneys asserted that Mr. Ingram had proclaimed yesterday that Mr. Ingram could not receive a fair trial because of Left-wing attacks she was a boy. The girl was wearing blue jeans, a checkered shirt, made on Caswell County officials a straw hat and was carrying a hand hoe.

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"He still had his head out of the

## Farmer's Attorneys Appeal To State Ct.

Claim Law Used To Convict Mack Ingram Is "Vague"

RALEIGH, N.C. — Lawyers for Mack Ingram, the 45-year-old Yanceyville farmer who was convicted last month in the now infamous "assault by look" case, appealed the case before the State Supreme Court here Wednesday.

Ingram's attorneys, supplied by the NAACP, outlined two dozen exceptions as they filed their appeal. For one thing, they claimed that Judge Frank W. Strong should have allowed their motion to quash the indictment on grounds that Caswell County had "arbitrarily and discriminatorily" excluded colored citizens from its juries.

Ingram was convicted a third time last month by an all-white jury. At his first trial, the jury of eight white men and two colored men was hung when the two colored jurors held for acquittal.

Call Law Vague

Ingram's attorneys also attacked the State Law under which the semi-literate farmer was convicted. They called it "so vague, indefinite and uncertain that it denies due process of law."

The defense lawyers said that an assailant need not do physical harm to commit an assault. "If by threats and a display of force one causes another to apprehend danger... to abandon his course, or to do other than he would have done, that constitutes assault."

Ingram was convicted of assaulting Willa J. Boswell, now Mrs. Edward Webster, on her father's farm in 1951 by "leering" at the girl and running across a field to within 60 feet of her.

Girl Wore Jeans

The girl was walking and carrying a hose, dressed in blue jeans, a straw hat and wore a blue checkered shirt. Ingram has steadfastly maintained he thought she was a boy.

The appeal filed Wednesday will be heard orally by the State Supreme Court next spring. If it fails here it will be carried on to the U.S. Supreme Court in Washington.

Following his last conviction, Ingram received a six-month suspended jail sentence and was placed on probation for five years.

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# Two Die For Assault In South

RALEIGH, N. C.—(AP)—Two young Negroes last week paid the supreme price for being impaled on charges of raping two different white women in the South.

In Lexington, N. C., a slender laborer from Lexington, N. C., convicted of the murder-rape of a 65 year old white widow, went to his death in the state gas chamber protesting his innocence.

Only nine minutes after he was led to chamber, John Andrew Roman, 30, described by some as a quiet, hard-working man and good provider for his wife and four young children, was dead. He died in the gas chamber after being convicted for killing Mrs. Beulah Hinshaw at Lexington.

In Tucker Prison Farm, Ark., 23 year old Herman Maxwell, who won three stays of execution, finally was killed in the electric chair for the rape of an expectant white mother. His final statement to prison official and 28 other witnesses was a plea for prayer.

"I just ask you all to pray," he told the prison superintendent.

Maxwell first was convicted in 1949. He won three stays of execution on appeals to the Arkansas Supreme Court. His attorney, Harold Flowers of Pine Bluff, filed a petition for a writ of habeas corpus late last week in another attempt to stay execution, but both federal judges before whom the petition could be heard were out of town.

Roman became implicated in the death of Mrs. Hinshaw when his fingerprints were found at the scene of the crime and articles taken from the Hinshaw home were found in a little shed across from the tobacco plant at which he worked.

He was the only man with the key to the shed. A boot found at the murder scene matched one of Roman's according to testimony.

Outwardly Roman was calm when he was led to the gas chamber, but when guards strapped him down he attempted to fight.

And shortly afterwards the man who had hit and the man who had not yet beyond the second

was in a benevolent mood on the electric

chair. After eating a hearty meal which included pork sausage, ham and scrambled eggs, chicken gravy, french fried potatoes, wieners, biscuits and butter, apple jelly, pie, cocoanut cake and buttermilk, he agreed to give his eyes to a blind person.

This action reversed an earlier statement by him that he wanted to keep his eyes because, "I want to see where I'm going."

## Mack Ingram Gets 6 Months; Notes Appeal

Father Of Nine  
Ordered Jailed  
By All-White Jury

By RUFUS WELLS

Editor, Richmond AFRO

YANCEYVILLE, N.C.—"I never laid eyes on that woman until she was called to the stand..."

Mack Ingram, Caswell County tobacco farmer who was sentenced to prison for "leering at" a white woman, sat in the combination living room-bedroom of his tenant farm house and told the AFRO of the incident.

Ingram last Tuesday was sentenced to six months suspended on condition that he pays the court cost, \$200.

However, his lawyers posted notice of an appeal and the defendant was released under \$2,000 bail.

The verdict came as no surprise to the 500 colored and white persons who jammed the Caswell County Courthouse to hear the case which has attracted worldwide attention.

NAACP attorneys representing Ingram announced immediately after the verdict that they would appeal the case to the state Supreme Court of North Carolina and "if necessary" to the United States Supreme Court.

### Sought Venue Change

Ingram's trial, internationally known as the "Assault by look" case, opened in Superior Court Monday with his lawyers asking for a change of venue on the

grounds that their defendant could not receive a fair and impartial trial in Caswell County.

Judge Frank Armstrong denied this motion. He also denied a motion that the entire panel of 76 jurors be disqualified because it did not include any colored citizens. *Dat. 11-22-52*

Chief Defense attorney Fred Upchurch Jr., of High Point, N.C., contended that the systematic exclusion of colored persons from the jury panel was a violation of his client's constitutional rights.

Late Monday, Mrs. Willie Jean Boswell Webster, buxom 18-year-old housewife, took the stand and repeated charges made at two previous trials that Ingram "leered" at her and frightened her.

### Repeats Testimony

Asked what attracted her attention to Ingram on the morning of June 4, 1951 when the "leering" allegedly occurred, Mrs. Webster replied:

"He was coming up the road real slow, about five miles an hour. He kept watching me. He had his head out the window with a curious look and was driving on the left side of the road. He wasn't even looking where he was going."

Speaking in a low voice with a marked southern drawl, Mrs. Webster recalled that she was dressed in blue jeans, a blue and white checkered shirt and a straw hat.

Mrs. Webster admitted at no time did Ingram come within 60 feet of her but said that he "leered at me so it frightened me and I ran."

### Martin Aids Defense

In addition to the complainant, witnesses heard Tuesday were her father, A. G. Boswell, a tobacco farmer, who said he knew Ingram; and her two brothers.

Other defense attorneys were Martin A. Martin of Richmond, and Conrad O. Pearson of Durham.

A total of 76 jurors — all white — comprised the panel.

### Silent In Court

Ingram, a diminutive, mild-mannered man of 45, had just returned from the courtroom where he had listened to NAACP attorneys contend that his constitutional rights had been violated.

He sat on a trunk because seven of his nine children were occupying all available chairs in the small frame house. The other two children were away from home.

He had listened all day in the tense courtroom without uttering a word in his own defense. But now, at home, the pent-up emotions poured forth in words:

"On June 4 (1951) I didn't work because it had rained the day before and the ground was still wet. So I decided to borrow a trailer from A. B. Boswell (father of the girl who now accuses Ingram of assault by looking) and load some feed.

### Looking For Boswell

"I got in the car, pulled out on the road and stopped near Mr. Boswell's farm. I got out of the car near his place and walked across the field to see if he was there so I could ask him for the trailer.

"He wasn't there. No one was there. So I got back in the car and went to Buck Lambert to borrow his trailer. I borrowed his trailer and went and got some feed, loaded it on the trailer and went to see George Simpson (another farmer) and helped him hang tobacco.

"We were there in the field hanging tobacco when the sheriff came and picked me up. I told the sheriff that I never saw any girl at Boswell's place ... and I didn't.

### Girl Were Dangerous

"I did see a boy walking across the field, some distance away, but I didn't pay him no mind."

(The girl who accused Ingram testified that she was wearing dungarees, a boy's plaid shirt and a "terrapin-shaped" hat on the day of the incident.)

Ingram then lifted his smallest son, Larry Jr., 2, on his lap and sat silent for a while. The children too, remained silent, as if they expected their father to resume talking.

### Good To Us

Then Mrs. Ingram, seated beside her husband began talking, not about the case, but about her husband.

"Mack has always been good to us," she said. "He grows tobacco and when there is no work to do on the farm, he works in a factory in Danville."

She explained that it was necessary for her husband to hold two jobs to "make ends meet."

The Ingmans are not pretentious people, but plain farm folks. They own a 1936 model Chevrolet, a mule, and, as Mr. Ingram puts it, "some of the finest hogs you want to see."

Mack Ingram owns a few farm tools, but farms rented land. In addition to the factory work and the farming he often "hires out" in fields owned by white men.

The Ingram's nine children are Hattie Bernice, 22, Haywood, 15; Dorothy Mae, 16; Willie, 13; Mattie Bell, 12; Ossie Magdalene, 9; Barbara Jean, 7; James Earl, 5; and Larry Jr., 2.

But the accused man sat there thinking, as Larry Jr. crunched on an apple.

## White Man Found Guilty Of Assault

ALMANSE, N. C.—(AP)—In a rare case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro woman. He was sentenced to eight to 10 years in the penitentiary.

The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance county Superior court.

Reid was indicted on complaint of Miss Mildred Weston, a Shaw university junior, who charged that the man committed the attack upon her at gun point while she was working in his home as a maid in place of her sister.

The attorneys for the presenting witness were C. Jerry Gates and M. E. Johnson of Durham, N. C.

While the defendant was tried for rape in the bill of indictment, under North Carolina law the jury could return a verdict based on a lesser offense or a verdict of not guilty.

Reid gave notice of an appeal to the State Supreme Court. He was unable, however, to post bond, and was committed to jail.

## Mack Ingram Relaxes



Mack Ingram, tenant farmer charged with "assault by looking at" a white woman, relaxes at his home after the first day of the trial. At left is his wife,

Mrs. Linward Ingram, holding Larry Jr., 2. Another son, James Earl, 5, is also shown. The Inggrams have nine children.

## 'Look' Attacker

C. O. Pearson, Durham attorney and chairman of the State Legal Redress Committee of the NAACP, told the Courier that the case is being appealed because "we believe that the law of assault in North Carolina is unconstitutional."

JUDGE Frank Armstrong, who sentenced Ingram, explained the law in his charge to the jury . . . "if by looking at a person in a leering manner, or watching and then following, one causes another to become frightened and run, then he is guilty of an assault."

The Supreme Court may rule (1) that the judgment of the lower court is correct; (2) that the judgment for a nonsuit at the

## Suspended Sentence Confirmed

# Carolina 'Eyeball' Case Back to High Court

27 e (3)

By A. N. RIVERA Jr.

(Staff Correspondent)

YANCEYVILLE, N. C.—This state's vicious "assault" law will be brought to test in the U. S. Supreme Court, if necessary, was the decision of attorneys for Mack Ingram, 45-year-old sharecropper convicted here last week of "unlawfully looking" at a plump 17-year-old white farm girl.

After being declared guilty by an all-white male jury, Ingram was given a suspended sentence of six months on the county roads and placed on probation for five years.

ATTORNEYS FOR the defendant immediately appealed to the State Supreme Court where the internationally famous "leerful leer" case will be heard early in

1953. The lawyers, Martin A. Martin of Richmond, Conrad O. Pearson of Durham, and E. F. Upchurch Jr. of High Point, N. C., are retained by the NAACP. They posted a \$200 appeal bond and a \$2,000 appearance bond required as a condition of the suspended sentence. 11-22-52

Ingram was convicted originally in a recorder's court trial

two months ago and sentenced to five years in the state prison but a writ of habeas corpus was issued in a municipal court November when Willie Wiley and Charley Gunz, two of the four Negro jurors, held out for acquittal.

Att. Martin A. Martin, Richmond, Va., called the law "class legislation" and told the jury that if the races of the principals in the case were reversed the incident would never have even come to court. The NAACP lawyer stated further that "it is unfortunate that white girls are taught to believe that every Negro man they see wants to rape them."

The case which attracted international attention eighteen months ago grew out of charges of Mrs. Edward Webster, then Willa Jean Boswell, a 17-year-old farm girl.

She testified at three hearings that on the morning of June 4, 1951, she was going to the tobacco

patch to join her brothers and father who were working in the field when she saw a Negro man driving down the highway "looking at her curiously from a distance of about 150 feet." She charged that she was assaulted by the leers of Ingram, who intended to rape her. John A. Rousseau, judge in the first Superior Court trial, allowed a nonsuit on the rape attempt count, but denied a similar motion as to the charge of assault on a female.

MRS. WEBSTER told a crowded court room of approximately 400 people that Ingram drove his car up the highway, past the lane where she was entering the farm, and ran down another path in an attempt to head her off. She told the court that at no time did Ingram speak a word to her, nor did she say anything to him.

She testified that it was while Ingram was "chasing" her that the two came within sixty or seventy feet.

In a effort to convince the jury that Mrs. Webster could not see an expression on Ingram's face in a car 150 feet away, Defense Attorney E. F. Upchurch put the defendant in the rear of the courtroom just fifty feet from the witness stand, at all that was distinguishable at his face were his eyes.

BEFORE THE trial was many minutes old Judge Armstrong exhibited a hostility toward the defendant which went unchanged throughout the procedure. E. S. Butler, county commissioner, had just concluded his testimony on the selection of names for jury selection at which time he denied that Negroes were discriminated against for jury service. Judge Armstrong asked Butler, "have you ever discriminated against the n——r race? Attorney Martin objected to the term and asked that the record show his

NAACP, disclosed that interest in the organization since the trial began eighteen months ago, paved the way for a local chapter "two weeks ago we were organized with fifty-seven members."

The decision was anticipated by the Negro defense counsel, but Native-born Fred Upchurch harbored the belief that Ingram could receive a fair trial here. He did admit, however, after the trial that the law firm in which he is associated with his father has lost much of its white practice. "Our Negro clients have more than made up for the loss," he said. Mrs. L. L. Graham, chairman of the Western Division of the

# Six Paratroopers Accused By GI's Wife Face Trial Baltimore Mother Will Tell Of Brutal Gunpoint Rape By Six At Fort Bragg Army Hearing

27e(2) BALTIMORE

Mrs. Lula Artes, 19-year-old soldier's wife and mother of two children, who was brutally raped last August by six white paratroopers, leaves Baltimore this week for Fort Bragg, N.C. to testify at the trial of her alleged attackers.

Interviewed at the home of her parents here in Baltimore, Mrs. Artes who expects another child in the spring, said of her pregnancy:

"If the baby comes in May, it's my husband's. If it comes in April, it was because of them."

## NAACP Intruder

The slim shy young mother is to be taken to North Carolina by NAACP Chief Counsel, Thurgood Marshall, who will seek convictions of the six soldiers said to have already confessed their guilt.

She sat in the tiny cramped upstairs room of her Biddle St. home, the only room where there was any heat, and told of the many problems rising out of her ordeal on Aug. 15.

## Told Her Husband

There was her husband, Levi Artes, now on the Korean front. She said:

"Yes, he knows about it. He was stationed in Indianetown Gap when it happened. I wrote and told him. He came to see me later. He writes whenever he can and tells me not to worry, that everything will be all right."

There were her two small children, Mary, three years old and law enforcement officials refused to give the names of the six men. The little girl was dressing to go to the post office though readily Mrs. Artes' name was made public.

The six soldiers on trial all

members of the 511th Airborne Infantry Division, Camp Campbell, Ky. are:

Pfc. Harold L. Hill of Burlington Junction, Mo.; Cpl. Lewis Wilson of Route 4, Marietta, Ga.; Pfc. Eugene A. Shirley, 11 Willow St., Courtland, NY.;

## Wisconsin Man Held

Pfc. Robert Orheim, RFD, No. 1, Glen Flora, Rusk, Wis.; Pfc. Alex Christ Felder, 1051 Wheaton Rd., Charlotte, Mich. and Pvt. Floyd Q. Breland, Box 282, Leakesville, Ky.

According to previous reports, the men are said to have confessed the attack on Mrs. Artes.

Later, it was predicted that civilian authorities would attempt to handle the case to save the men from more severe Army court martial which decree death as the penalty for rape.

Mrs. Artes was visiting her home near Carthage when she was grabbed by the soldiers. She was returning from church accompanied by a minister's son. Her attackers made the youth witness the atrocity at gun-point.

As soon as Mrs. Artes returned to Baltimore, the local NAACP made arrangements with the national office to see that she got adequate legal service and protection. They are cooperating with Kelly Alexander, president of the North Carolina State Conference of Branches.

## 3 Campbell Soldiers Are Indicted for Rape

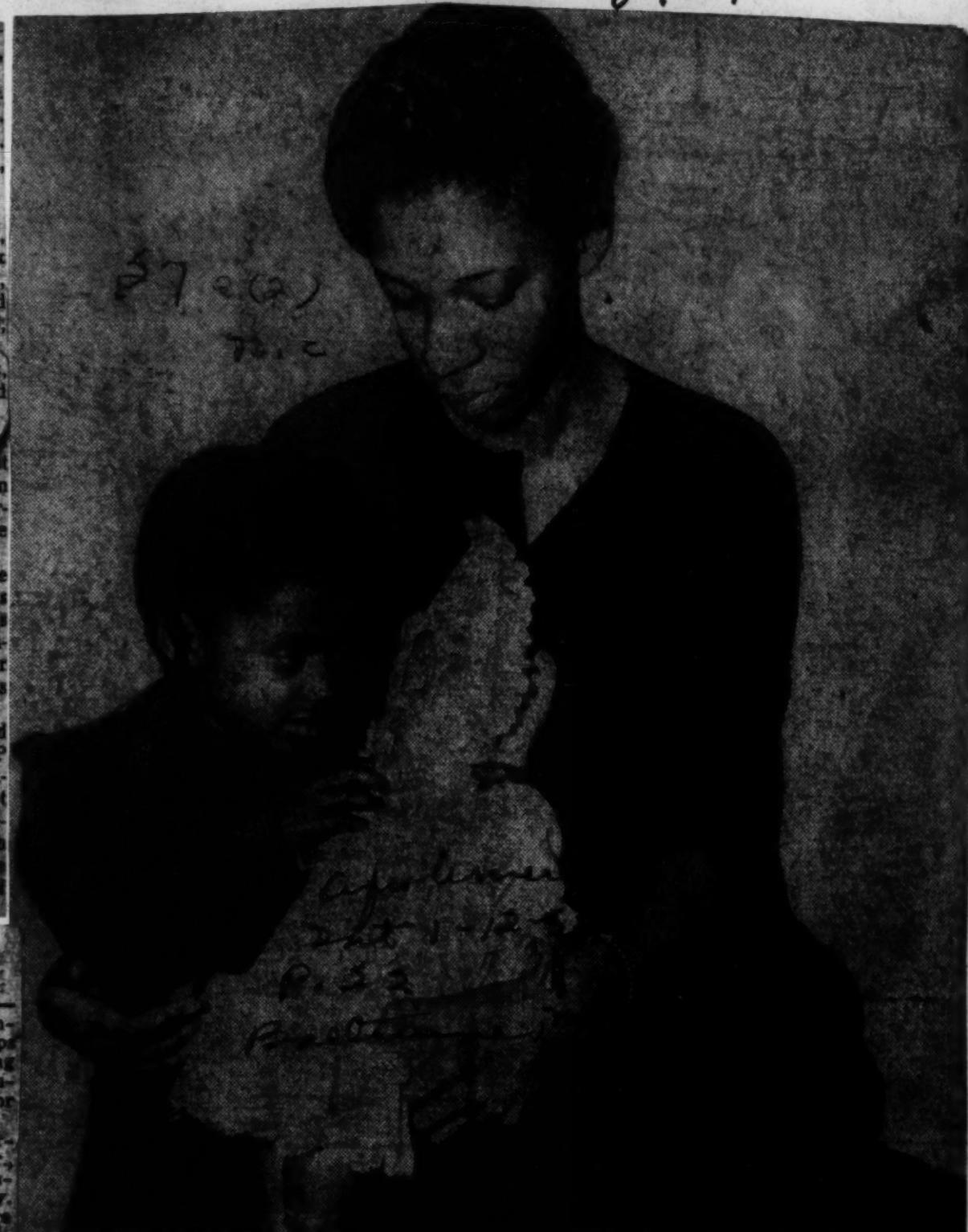
Carthage, N.C., Jan. 22 (UPI)—A Moore County grand jury indicted three white paratroopers today for the rape of a young Negro woman near here last August, and their trial was set for tomorrow.

The grand jury indicted Harold L. Hill, Alex C. Felder, Jr., and Lewis Wilson, Jr., all stationed at Fort Campbell, Ky. They are being held in jail here without bond.

Mrs. Lula Artes, young mother and wife of a soldier now in Korea, who was brutally raped by six white paratroopers in Car-

riage, N.C., who left her Baltimore home last week to face the men accused of attacking her. She expects another child in the

spring, and is not certain whether the attack is responsible. With her is her oldest child, Mary, 3.





8424

# DIXIE JUSTICE!

## Ignore White GIs' Confessions Of Rape: Convict 3 for Assault

By ALEX M. RIVERA JR.  
(Courier Staff Correspondent)

The Courier's alert A. M. Rivera Jr. was the first newsmen to give the nation the story of the brutal assault on Mrs. Luis Artes.

CARTHAGE, N. C.—North Carolina ran true to Dixie form here last week.

Three confessed GI rapists tried in this small city for "the most heinous crime recorded in the country," were spared gently on their knuckles by Superior Court Judge Zeb Y. Nettles.

The indicted white soldiers were members of a Korean army accused of ravishing Mrs. Luis Artes, a 19-year-old Negro mother and the wife of a 27-year-old fighting Korean.

Found guilty of assault on a female, Judge Nettles sentenced the trio to sixteen to twenty-four months.

Completely ignored, however, by a jury of eleven whites and one Negro, were the "signed" confessions of the white soldiers. The alleged statements of the men were never refuted at the trial.

Judge Nettles charged the jury that they could return one of five counts in the case. They were:

Guilty of rape.

Guilty of rape with a recommendation for mercy.

Assault on a female with intent to commit rape.

Assault on a female.

Not guilty.

An evenly-divided crowd estimated 500 spectators of this towering hill town community, the die-hard segregationists, were in attendance.

In this community, the die-hard segregationists, were in attendance.

*Defense Counsel H. F. Howell, in his final argument to the jury, indicted the white South for its bastardization of Negroes with the plea to keep before them during their deliberation the Biblical admonition: "Let him who is without sin cast the first stone."*

State Solicitor M. G. Boyette, who vigorously prosecuted the case, was assisted by Conrad O. Pearson and Edward R. Avant, Durham lawyers. Pearson, who is chairman of the State Legal Resources Committee of the NAACP, scored the record of racial bias in such cases in North Carolina and declared that "whatever your decision is, it will be heard around the world fifteen minutes after it is given."

Pearson reminded the jury

that when the accused were violently ravishing the prosecutrix at the point of a U. S. Army gun, her husband was somewhere baring his breast to enemy bullets, that your families and homes would be safe from foreign enemies."

Judge Nettles charged the jury that they could return one of five counts: "guilty of rape, guilty of rape with a recommendation for mercy, assault on a female with intent to commit rape, assault on a female, and not guilty."

AFTER TWO HOURS of deliberation the jury returned a verdict of "guilty of assault." The few Negroes who had stayed to hear the decision did not display any emotions. One or two could be heard moaning a knowing "umph," but even this was more an expression of disgust than surprise. One man commented that the jury's decision "was just what you could expect from down here."

Gazing downward from the second-story courtroom window,

gro. The operation of the law has made rape in the Tar Heel State a white man's pleasure and a Negro's crime. There is no record in this state of a white man ever paying for his life for the crime of rape, either on a Negro or a white female.

In the past forty-two years, since March, 1910, sixty-seven Negroes have been killed by the state for the crime of rape.

Mrs. Artes came to court fortified with a letter from her husband, Levy, father of her two children, who is now on the Korean battle front. He encouraged her to "hold up your head as high as possible, tell the truth, and everything will turn out all right."

Mrs. Artes related her uncontroversial testimony "the night of terror," during which the quartet of hairy white GIs admittedly seduced her without her consent.

The accused, who were recommended by the Criminal Investigation Division of the Army out of a possible 110,000 men who were on maneuvers for "Operation Southern Pines," were identified as Alec C. Felder Jr., of Charlotte, Mich.; Harold L. Hill, of Larkins, Mo., and Louis C. Wilson Jr., of Marietta, Ga.

The nauseating assumption of the North Carolina rape law is that Negro women are flattered to have white men and that under no circumstances would a white woman voluntarily submit to sex relations with a Ne-

gro. The knowledge that such information might be held against him narrowed the search to 5,000 soldiers.

CID Agents Elbert Sanders of Fort Bragg and Hermann N. Shultz of Fort Campbell, Ky., took

charge of the investigation.

They interviewed Mrs. Artes

and her husband, Levy, and

Testimony of soldiers corroborated her story.

Her husband, Levy, also

stated that one of the paratroopers told him he was

an important target while

he was in Korea.

He also stated that when the Army

arrived in Korea, he was required to

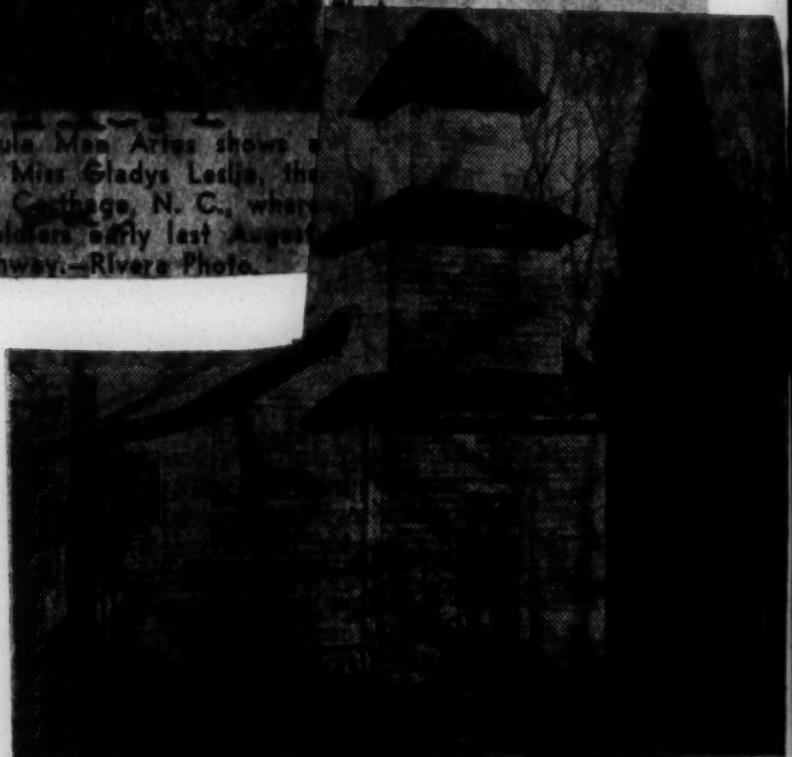
COURT OF APPEAL—MURKIN, N. C., last



**Scene of Crime**—Mrs. Lula Mae Artes shows a spot in the brushy, overgrown field near Carthage, N. C., where she was attacked by four white soldiers early last August. The spot is a few feet from the highway.—Rivera Photo.



**Witness**—Paul Williams, 19, a bellhop, testified at the trial of the white GIs: "I could not see her, but I could hear her (Mrs. Artes) crying."—Rivera Photo.



**Near This Church**—This is little weather-beaten Stoney Chapel Baptist Church from which Mrs. Lula Mae Artes and her companions were returning home on the night white GIs attacked them on the lonely country road near Carthage, N. C. — Rivera Photo.

8425

# 'Look' Case Verdict Brings Varied Editorial Comment

*27e(2) N.C.*  
BALTIMORE Two northern and two southern daily newspapers conflicted in editorials each carried concerning the "assault by leering" comic case of Mack Ingram in Yanceyville, N.C.

The liberal New York Post called the case a "fantastic farce" and says it "is the kind of episode that makes America the target of world-wide ridicule."

"It also provides grotesque material for the human comedy," the Post comments. "For if men can be hauled into court for allegedly thinking carnal thoughts about women whom they see from an automobile window, one of democracy's most precious freedoms is lost."

## Remember Witchcraft

To the New York Telegram and Sun, the case "reminds us of the days of Salem witchcraft. People were burned at the stake because people got scared of shadows."

Reid was indicted on complicity in the assault by leering written into criminal code, the telegram's editor says. "We certainly hope the case will be appealed until the higher court takes a saner view of what constitutes assault."

**Reids Will Use It**

The Norfolk Virginian-Pilot editorial expressed the fear that the aspect of the case will be used as Communist propaganda, ignoring other questions of which show "that the conviction rested on more than that."

Important evidence in the case is her testimony that when she got out of the car he followed her, "walking at a pace." He followed her in a way which might have made it possible to corner her in nearby woods, the editorial points out, noting that the "disposition of the case was not at all unreason-

able."

"But the additional item of putting the man on probation for five years will only serve to keep this case in the news all the time which many people believe shows white injustice in the race in the South," the editorial said.

## Jury Finds Man Guilty Of Rape

ALMANOKE, N.C. (INS) — In a rape case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro co-ed. He was sentenced to eight to 10 years in the penitentiary.

The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance county superior court.

Reid was indicted on complicity of Miss Mildred Wagstaff, a Shaw university junior, who charged that the man committed the attack upon her at gun point while she was working in his home as a maid in place of her sister.

The attorneys for the presenting witness were C. Jerry Gates and M. E. Johnson of Durham, N.C.

While the defendant was tried for rape in the bill of indictment, under North Carolina law the jury could return a verdict based on a lesser offense or a verdict based on a lesser offense or a verdict of not guilty.

Reid gave notice of an appeal to the State Supreme court. He was unable, however, to post bond and was committed to jail.

## Tales Of Two Cities

Two quaint Southern stories made the headlines last week.

In Yanceyville, N.C., an all-white jury, for the second time convicted 44-year-old Mack Ingram for looking at a girl from a distance of 75 feet.

In North Carolina if the man is colored and the girl is white that's a charge of assault. The judge gave Ingram six months in prison and then suspended it.

Ingram, through his counsel, announced that he would appeal. We believe this to be a wise decision.

Why should ~~Mack Ingram~~ be allowed to get away with this fraud upon justice even if it is sugar-coated with a suspended sentence?

Down in Tupelo, white Mississippians who are calloused to colored citizens being mistreated by night-riding bullies, awoke with a shock to find these whites had widened the scope of their activities to take in white people.

Newell Anderson, a North Dakota-born circulation man for the Tupelo Journal, was forced to take his wife and flee for his life. The mayor of Tupelo, shocked by the news, asserted, "Tupelo doesn't stand for this sort of prejudice."

Of course the mayor is in error. Had official Tupelo not been so complacent when the bigots whetted their appetites on helpless colored citizens, the city would not now be embarrassed by what has happened to its white residents.

## Appeal Guilty Verdict In N.C. Eye-rape Case

YANCEYVILLE, N.C. (INS) — Attorneys for Mack Ingram, 44-year-old Negro sentenced to a five year suspended sentence for the assault by leering on a young farm woman Wednesday are preparing an appeal to the North Carolina supreme court.

Ingram was sentenced by Judge Frank Armstrong in Caswell Superior court in Yanceyville. He was found guilty Tuesday by an all-white jury of committing assault against Mrs. Willie Jean Webster, 19-year-old white woman in June of 1951 as the young girl walked along a country road.

Armstrong sentenced Ingram to six months in jail, suspended for five years on condition he be of

good behavior, report at each November term of Superior court, and pay court costs. He was put under a \$200 cost bond and \$2,000 appeal bond.

Attorney D. F. Upchurch, Jr., spokesman for the battery of defense lawyers, immediately told Armstrong he would file an appeal. The defense left no doubt through the trial that this would be their next move if Ingram was found guilty.

This was the third trial for the slim father of nine children. He was first given a two year term in Yanceyville penitentiary court, appealed it to Superior court, and that trial resulted in a hung jury. The jury was composed in that trial of eight white and four Negro men.

Mrs. Webster told the court the same story she did in the first trial. She declared she was walking along the road when Ingram drove by in his automobile and "leered" at her. The buxom farm girl said she ran through some woods to a field in which two members of her family were working. Mrs. Webster declared she never saw Ingram chase her, but when she emerged from the woods he was "about 75 feet behind her and walking pretty fast."

Under a North Carolina law that dates from the Civil War actual contact is not necessary to be convicted of assault. Frightening a person is grounds for conviction.

Ingram never took the stand in the three trials, nor were any defense witnesses offered.

## NC Supreme Court to Get 'Leer' Case

Defendant Looked At White Farm Girl, Is Convicted of Assault

P. 12  
By J. H. RAWLINS  
Staff Correspondent

YANCEYVILLE, N.C. — The Supreme Court of North Carolina will be called upon at its next term to reverse a decision handed down in the now famous "Caswell County Leering Case." Convicted for the second time, Mack Ingram gave notice of appeal through his attorneys.

The trial in Superior Court here, which lasted two full days and well into the third, ended when Judge Frank Armstrong, of Troy, imposed a six months sentence and placed Ingram on five years probation. An appearance bond of \$2,000 and a \$200 appeal bond were posted immediately.

*11-22-52*  
THE CASE which has attracted world wide attention grew out of charges brought by Miss Willie Jean Boswell, a 17-year-old farm girl. In June Miss Boswell, who has since become Mrs. Willie Webster, charged that Ingram "leered at her while driving along a public highway and never took his eyes off her. After parking his car, he chased me across a corn field, Mrs. Webster continued.

Under heavy cross examination by E. F. Upchurch, chief defense attorney, she admitted that he never got closer than 75 yards of her—that he never spoke to her—that he was traveling a course almost parallel to hers—and she never saw him run.

WITHOUT TAKING the witness stand Ingram, through his attorneys, denied all of the charges and contended that he was trying to locate Mr. Boswell, father of the prosecutrix. It was his intention to borrow a trailer to haul some hay, Ingram said. When apprehended later in the day, a borrowed trailer was in his possession and some hay had been loaded in it. Ingram was helping another farmer work tobacco when taken into custody by Deputy Sheriff G. S. McKinney testified.

The defendant, the father of nine children which range in ages from two to 22, was arraigned originally in Recorders Court on the charge of assault and attempted

The felonious charge of attempted rape, which carries a maximum penalty of 15 years, was dropped for lack of probable cause.

HE WAS convicted and sentenced to two years, the maximum penalty for simple assault. He appealed and was tried in Superior Court in November, 1951.

A jury which included four Negroes failed to reach a verdict. A new trial was ordered for the March term of Superior Court. Damage to the court house caused by fire further delayed the trial until the present term.

A crowd estimated at between four and five hundred jammed the court room each day. More than half the spectators were colored.

A bit noisy throughout most of the trial an unusual quiet was noted when the final arguments were made to the jury. Each of the three prosecutors spoke to the jurors in the same vein and stressed the point that Ingram had to way of knowing where A. B. Boswell, father of the girl, was. This they contended disproved his contention that he wanted to borrow a trailer.

A DIAGRAM OF the Boswell farm was drawn on the blackboard. By use of a pointer Ralph J. Scott, solicitor, explained to the jury that it was impossible for Ingram to see the field in which the girl's father and brother were working. He further contended that the paths taken by each, Ingram and Miss Boswell, would eventually cross. Scott said, "It was his intention to be waiting here when she approached. God alone knows what he intended to do."

MARTIN A. MARTIN, Richmond attorney, explained that he is a native of Danville, Va., just 14 miles from Yanceyville. "This case is bound to have its effect upon the relationship between the two races," he said. E. F. Upchurch, white, a native of Yanceyville, now practicing in High Point, made the final argument of the trial. He entered the case after Ingram had been defended by the aged father of Upchurch in the first trial.

North Carolina law as it pertains to simple assault was read to the jurors by Judge Armstrong. They were told that it is not necessary to have body contact to commit assault. It must be proved however, that a person has been intentionally frightened into committing an act of taking a course they otherwise would not have done or taken, the judge said. After one hour deliberation the jury reached a verdict of "guilty" on the first ballot according to M. M. Jones, foreman.

Ingram faces on \$1,500 bail since the earlier trial.

Considerable attention has been focused on this town of 1,000 persons since the incident occurred last June.

The lawyers are attacking the practice of excluding colored persons from the jury in Caswell County which has a population of about 20,000, about half of whom are colored persons.

AT THE REAR of the courtroom where he had remained since being sent there by his lawyer to have Miss Boswell describe whether he was then leering at her, Ingram recd the verdict in stony-like silence. His face, void of expression during the entire proceedings did not change.

Ralph J. Scott said he felt no special pleasure at the outcome and described the case as "just another assault case. I did my duty as I saw it. The verdict is justified by the evidence," he said.

In addition to Upchurch and Martin, C. O. Pearson, also of the NAACP legal staff aided in the defense of Ingram.

'Look' Attacker  
On Trial 3rd Time

By RUFUS WELLS

Staff Correspondent  
YANCEYVILLE, N.C. — The trial of Mack Ingram, 45-year-old farmer charged with leering at a 17-year-old white girl in June, 1951, began in Superior Court here Monday with defense counsel asking that the charge be quashed because colored persons were excluded.

The hearing was adjourned but racially segregated courtroom at 1 p.m. before Judge Frank Armstrong.

Ingram is charged with assault by leering at the girl.

NAACP attorney A. Martin of Richmond and C. O. Pearson of Durham argued that the constitutional rights of Ingram were violated in the selection of the jury panel, which included no colored persons.

Accused

Members of the defense were excluded from the courtroom as the lawyers argued.

At an earlier trial, a 14-year-old white girl, at that time, Miss Jean Boswell, now Mrs. Edward Webster, testified that the farmer chased her across a cornfield and "it looked like he was trying to cut me off." "He was leering at me," she added.

The girl admitted that at no time did Ingram approach closer than 60 feet to her.

At the first trial, Ingram, the father of nine children, was convicted and sentenced to two years. He appealed to Superior Court.

His second trial ended in a mistrial when the jury failed to agree.

Freed On \$1,500 Bail

The original charge of assault with attempt to rape was reduced to assault on a female.

## White Man Found Guilty Of Rape Of Negro Woman

ALMANSE, N. C.—In a rare case for the South, a white factory worker last week was convicted of assault with intent to commit rape of a Negro co-ed. He was sentenced to eight to ten years in the penitentiary.

The defendant was Eugene Reid. The verdict was returned by an all-white jury of nine men and three women in Alamance county Superior court.

Reid was indicted on complaint of Miss Mildred Wagstaff, a Shaw university junior, who charged that the man committed the attack upon her at gun point while she was working in his home as a maid in place of her sister.

The attorneys for the presenting witness were C. Jerry Gates and M. E. Johnson of Durham, N.C.

While the defendant was tried for rape in the bill of indictment, under North Carolina law the jury could return a verdict based on a lesser offense or a verdict of not guilty.

Reid gave notice of an appeal to the State Supreme court. He was unable, however, to post bond, and was committed to jail.

8426

# Attack Victim Hopes They'll Soon Forget

By CARMELL McVICKERS  
AFRO Staff Correspondent

CARTHAGE, N.C. — Mrs. Lula Mae Artes, who was raped by four white paratroopers on a hot summer night last August, has a firm belief in the "faith of forgetfulness" which is so common among human beings.

The white courtroom was packed with dramatic action. Jim-crowed white and colored spectators sat in hushing silence, except when they expressed vocal disapproval of words or action.

The judge sat motionless-like on the bench, jotting down notes, drinking water, and standing occasionally to relax his not too youthful bones and muscles.

Four state patrolmen stood near the doorway, while a half dozen policemen, sheriffs and marshals performed whatever tasks came their way.

*Very Little Time*

The 13-man jury looked tired at times, but never bored. Out of respect for three months and he told me he had been merciful and that the verdict and made no effort to hurt me what I could see that these circumstances. Judge Zeb V. Netterville, who was present, further stated that "bellies through cracks in the blinds, licking to them. He told me that he full of beer" and uniforms gave him a small sky-king spot where he had touched a white woman, they had.

Mrs. Artes seemed little concerned with what was being said at the moment. She turned to me and said "They will soon forget won't they."

"Who?—forget what?" I asked. "The people will soon forget about what has happened to me and I can go on living a normal life," she whispered.

*Now Her Concern*

For the first time since the trial began I was able to see what was really going on.

"When they talked to me, they said 'you did it' and nothing in the world can stop them. Many of my friends just did not come around any more."

"It was whispered around that they did not want to be seen with me. I was lonely, I felt bad."

I had been wondering just what happened to a woman when she had been exposed to such public

"After my picture appeared in the AFRO people on the street stop and stare at me, and sure that they made re-

*Breathes From One*

"In fact one made a remark one evening to my brother about using me for prostitution. My brother immediately started fighting him."

"After all, I have done no wrong" as if trying to build up confidence, "I hate white men. What happened to me could have happened to any one of the girls who are keeping away from me right now."

"I hope people will understand and forget. They will soon forget. I believe that! They will soon forget."

"My grandmother told me to hold my head up and live for my out a mere 16-20 month sentence to do. Because people will soon forget. Mrs. Lilly Jackson, of the NAACP Baltimore was nice to me. She's a talker and fighter."

*Hope It's Husband's*

"Oh this child, the one that I expected in April. I hope it is my husband's."

"My husband has been in No- man, but never bored. Out of respect for three months and he told me he had been merciful and that the verdict and made no effort to hurt me what I could see that these circumstances. Judge Zeb V. Netterville, who was present, further stated that "bellies through cracks in the blinds, licking to them. He told me that he full of beer" and uniforms gave him a small sky-king spot where he had touched a white woman, they had.

"In six months time people will forget this whole mess, don't you think?" She looked at me and waited.

"For the first time I discovered that there was more hope than faith in her desires."

I bowed my head in a gesture of assurance.

*Show No Emotion*

The soldiers showed little emotion when they were sentenced. They are PFC Alex C. Felder Jr., of Route 5, Charlotte, Mich.; Cpl. Louis Wilson Jr., 20, of Marietta, Ga.; Pvt. Harold L. Hill of

Waverly, Mo.

H. F. Seawell, lawyer-minister who defended the men throughout the trial addressed the bench with the plea that if the men were given a sentence of less than 12 months they could remain in the Army.

Otherwise they will be discharged. He said the "boys" faces showed that they have changed and have a new heart."

The sensational trial played to a full house of jim-crowed spectators throughout the week.

There seemed to be little racial feeling as far as the white spectators were concerned.

*Disrupted Community*

They seemed to take the attitude that "these soldiers came down here and disrupted our peaceful community and we brought them to trial. Colored folks here and people throughout the

world will admire our deep sense of justice for all people, regardless of color."

The local colored school seemed to have been there en-mass. One of the teachers told me that most of the students cut classes to attend the trial "and teachers come group. up as soon as their duties permit."

He said he "propositioned" the witnesses as if trying to build up the actual boy could see her. Hill said he told her Felder had carried him down the road.

It was expected that six men would go on trial, but when the court formally started to work on aiding me in the act," Hill testified as asking the girl if she had had relations with a white man before present.

*Army Holds One Man*

One soldier was AWOL (absent without leave); Army officials at Camp Campbell, Ky., where all the men were stationed, refused to release one man for trial because they claimed that there was "no case" against him.

The third man, Eugene A. Shirley, was not indicted by the grand jury.

Cross-examined by Attorney H. F. Seawell Jr., of Carthage, lawyer for the defense, Mrs. Artes said she was born near Carthage and later moved to Baltimore, her present legal residence.

She said she married Levi Artes in Baltimore when she was 14. She said she was 17 when her third child was born.

"Last time I saw my husband was on a Saturday in July," she declared. The alleged incident occurred while on a visit with relatives here.

Testimony showed she went to a Carthage doctor about stomach trouble the Saturday night following the alleged incident.

*Testimony Corroborated*

Paul Williams, 19, corroborated Mrs. Artes's testimony and said they had been to Stoney Chapel Church on Wednesday night, August 1, 1951. He claimed one soldier stood with his foot on Williams's back and "I could hear Lula Mae crying, but I didn't know what was taking place."

A. W. Lambert, deputy sheriff, testified about people going to his home and telling him of the incident.

Elbert Sanders, CID investigator, read statements of Pvt. Hill and Cpl. Wilson, while Herman M. Shultz, another CID investigator, read statements of Pfc. Alex Felder Jr.

Felder's statement declared that the girl "lay on a blanket and motioned to me on the truck." *Were Seeing Boys*

Hill declared that he had been encamped at Camp Mackall and a friend decided to get some beer and rode to Carthage.

He said they drank more beer and ate more sandwiches outside Carthage. After leaving Carthage, he was crying.

The girl said she did not know if the second soldier completed the act and "I was afraid and crying."

The second soldier also made a sound, the witness related, the witness related, and the third soldier came over and took his place. The same procedure followed, testimony showed, and a fourth soldier came over.

"She made no objection and the fourth soldier was going to ask the girl if she had had relations with a white man before present.

Then I stayed with the boy." "He kept pawing me," the girl testified, "took my pants and he consented."

As they proceeded down the group when an Army truck passed soldier named "Johnny" who got off and stopped about 10 feet in front of them if they had been walking of the group. She said two soldiers and they said "Yes."

She said she and Paul Williams again, but was stopped by the and Irene Leslie, cousins, ran driver when he told the men to back toward the church, while unload.

other members of the group ran in the opposite direction.

The incident was reported the following day, according to testimony "because I didn't have my way to report it that night."

*Says Physician*

Dr. John Symington of Carthage testified that Mrs. Lula Mae Artes went to his office on August 11, 1951, and complained that her stomach hurt."

He said the matron asked him to make an examination to determine if she was pregnant and by the road "and we obeyed." Then he declared after the examination soldiers told Paul Williams, she that he was of the opinion "it was related, 'If you holler, it will be too early to tell.'

The doctor said to be definite, however, laboratory tests would have to be made and they would require a week.

He quoted her as saying she was leaving for Baltimore the following day. The doctor said he found no bruises on the girl.

"He did not look at my body. He only felt my stomach and then gave me a prescription," Mrs. Artes told the AFRO.

Cpl. Shirley, although not on trial, testified to corroborate testimony of his three buddies. He said he was a college graduate and a resident of Courtland, N.Y.

*Didn't Bother Her*

Under cross examination, Shirley stated that he had told several men that he had intercourse with Mrs. Artes "to keep them from riding me in the barracks." He claimed that he did not.

"One soldier did talk nice to me," Mrs. Artes told the AFRO.

# Atty Denies His Plea For Gas Chamber For Her Attackers



A jury at Carthage, N.C., turned a deaf ear to the plea of Attorney C. O. Pearson for death for the three paratrooper al-

leged犯 of Mrs. Luis Mae Artes, wife of a soldier serving in Korea. The men, who confessed the crime, were convicted of as-

sault and sentenced to 16 to 20 months. Pictured left to right, E. R. Avant, attorney; Mrs. Artes of Baltimore; and C. O. Pear-

son, attorney. The two lawyers were retained by the NAACP to assist the prosecution. (APB Staff Photo.)

CARTHAGE, N.C.—Three white paratroopers who admitted having had mass sexual intercourse with a 19-year-old colored wife and mother of two children whose husband is on duty in Korea, last week were sentenced to 16-20 months, and assigned to work on state highways.

THEY WERE CONVICTED in Moore County Superior Court Thursday of assault on a female by a jury composed of one Negro and 11 white men.

The three soldiers are: Pfc. Alex C. Felder, Jr., 21, Route 5, Charlotte, Mich.; Cpl. Louis Wilson, Jr., 20, Marietta, Ga., and Pvt. Harold L. Hill, 21, of Waverly, Mo. All are stationed at Camp Campbell, Ky.

## N. C. Jury 'Merciful' In Sentence

P. 270(2)  
White GIs Claim  
No Force Used In  
Assault Of Woman

2-2-32  
The Journal and Guide

# N. C. Demanding Supreme Penalty In GI Rape Case

Korean Vet Tells Ravished Wife  
'Everything Will Be All Right'

By M. M. RIVERA JR.

CARTHAGE, N.C.—The death penalty will be sought this week by this state for six white soldiers who allegedly raped its sun-burnt, 19-year-old wife of a Negro GI now fighting somewhere in Korea.

In virtually an unprecedented legal move, M. G. Boyette, solicitor for the Thirteenth Judicial District of North Carolina, told the Courier in an exclusive interview (Courier Dec. 22) that he would demand the death penalty for the accused rapists.

Atty. C. O. Pearson, chairman of the State Legal Defense Committee of the National Association for the Advancement of Colored People, has been retained by "interested citizens" to assist in the prosecution, it was learned last week.

The heinous example of sexual sadism is reported to have occurred near here Aug. 18 when Mrs. Luis Mae Artes, mother of two children, was allegedly ravished by six white soldiers taking part in "Operations Southern Line."

Trial for the accused will be given to the jury which have signed confessions. According to agents of the Army Criminal Intelligence Division, began early this week before Judge Zeal V. Nettles of Asheville.

Records of Sheriff C. J. McDonald of Madison County identify the accused men as Harold L. Hill, Lewis Wilson Jr., Alexander Felder, Eugene A. S. Shirley, Floyd Etland and Robert H. Orheim, who has been AWOL since the report of the crime.

In an exclusive interview given to the Courier from her Baltimore (Md.) home, Mrs. Artes told of the savage chain-like attack and revealed for the first time that she is expecting a child "sometime in the spring" that she does not know whether it was sired by her soldier husband or one of the

six white rapists who attacked her on a hellish Wednesday night in August off a lonely road near here.

Mrs. Artes' told her husband, Pvt. Levy Artes, 23, of the orgy allegedly committed by white soldiers and he comforted her while on a sixteen-day furlough prior to his Korean assignment with the assuring words that, "Everything will work out all right."

27e(2) 1952

North Carolina

8428

## Mack Ingram Lives Quietly While Awaiting New Trial In 'Look' Case



MACK INGRAM, 44-year-old farmer charged with assault for killing of a 17-year-old white girl, is unmoored in poverty-stricken Yanceyville during his work-a-day life. Tried and sentenced to 15 years, Ingram is now awaiting a new trial as a result of

appeal. In his hometown of Yanceyville, N. C., Ingram is shown with members of his family as they leave church. Included in photo are Dorothy Mae, 15; Willie, 13; Mattie Belle, 11, and

Mrs. Mack Ingram.  
a mule on his farm.  
third from left and

8428



In photo second from left Ingram harnesses One of his nine children helps him in photo Ingram feeds a hog in photo 4th from left.



At extreme right he is snapped with three of his children and a neighbor (rear) Moses Jeffries. The children are Ossie Magazine, 9; James Earl, 4, and Bobby Jean, 6. Defender photos by DEMILLE.

# Interracial Case Stuns Court In N.C.

*220 (S) 10c*  
**White Father Farm Couple  
Involved As Youngsters Confess**

LUMBERTON, N.C.—A story of interracial sex acts shocked a courtroom here last week and resulted in the conviction of eight persons on charges of contributing to the delinquency of minors.

A jury returned guilty verdicts within 10 minutes. Judge Chester A. Morris who heard the case, termed it as the most shocking to which he had listened. He advised the jury not to be influenced by the fact that the defendants were of the colored and white races.

#### Mixed Group Arrested

The defendants were arrested and indicted after police arrested two colored boys and two white girls and an adult in Parkton Township on Aug. 24, and obtained confessions from them of love acts between them.

One of the girls allegedly told the officers that she had been intimate with colored boys; that her brother, her older sister and a younger sister had all engaged in similar acts.

#### Father Convicted

Her father, Albert Lee, 38, white, was among those convicted for contributing to the delinquency of a minor, Shirley A. Lee, his daughter.

Others sentenced and the charges against them were:

Clemmie Baldwin, a farmer, guilty of moral misconduct and guilty to prostitution with Miss Myrtle Lee, 19, white, and guilty of contributing to the delinquency of minors, a total of four years on the roads.

#### Longest Term

Winfred Lee, 18, white, guilty of contributing to the delinquency of his sister, Shirley A. Lee, seven to 10 years in State Prison and for contributing to the delinquency of Betty L. Smith, colored, 12 months on the roads.

Daniel J. Smith, 17, adultery and contributing to the delinquency of minors, 24 months. Miss Myrtle Lee, 19, guilty of adultery and contributing to the delinquency of minors, 12 months in State Prison.

Farm Couple Involved  
Archie Malloy, 49, guilty of adultery and shooting prostitution, had no term of 12 months on the road suspended for five years on payment of \$100 and costs.

MR. AND MRS. MOSE SMITH, a farm couple, were given suspended sentences on good behavior provisions and payment of costs. Mr. Smith's term was two years and Mrs. Smith's, 12.

# Ex-carnival worker admits attack-slavery

ELIZABETHTON, N.C., Sept. 15 (UPI)—Sheriff John B. Allen says a former carnival worker has confessed to the rape and murder of Mrs. Thad White, 20.

The sheriff said the confession was made yesterday by Douglas Grisson, a 25-year-old Negro from Virginia, who was fired as a carnival worker last Friday.

Rape and rape each carries the death penalty in this state.

Solicitor Malcolm Seawell said he would present bills of indictment to the Bladen County Grand Jury.

MRS. WHITE was found dead in a cornfield near her house Saturday. She was battered almost beyond recognition. The kitchen of the house was blood-splattered, as was an iron found on a table. Alongside her almost nude body was a bloody piece of cloth. 9-15-52

Grisson has been kept at an undisclosed location since he was taken into custody.

The attack apparently took place Saturday morning while her husband was at work. White, on his return discovered his two-month-old baby unattended and the disrupted kitchen. A search revealed his wife's body an hour later.

8429

# Two Memphis White Men Sentenced To 5 Years Each In Case Of Negro Girl, 12

**MEMPHIS** — (UPI) — Two white men were sentenced Friday to five year prison terms after they pleaded nolo contendere (no contest) to charges of transporting a 12-year-old Negro girl to Panola County, Miss., for immoral purposes.

Assistant U. S. District Attorney Thomas C. Farnsworth said that the government planned to drop a kidnapping charge against the men, identified as William Glenn McCain, 37, and Augusta Woody McGarrh.

McCain and McGarrh were indicted in November on charges of kidnapping and taking a female across state lines. The Federal indictments came after a Panola County grand jury in October had failed to indict the men.

Panola County Sheriff E. A. Wilson said at the time that the girl, her mother and other witnesses had failed to appear before the grand jury.

Wilson and Constable J. A. Thornton of Courtland, Panola county had been subpoenaed to appear at the Federal trial here on January 23.

Farnsworth said that McGarrh had talked with the girl about work admitted not driving the car to McCain and McGarrh picked up the girl at her home on June 7 with the understanding she would work as a baby sitter but they drove her directly to Mississippi.

Both men were drinking and tried to get the girl to drink but failed, according to Farnsworth. They were accused of taking the girl into a field where she was found dead in a ditch.

A car driver who picked her up gave her money and drove her back to Memphis around about 4 a. m. Her mother called police, who called in the FBI.

McGarrh's wife and 12 year old son were in court and accompanied him back to the marshal's jail cell.

Farnsworth said the fact that the assault had occurred was verified by a doctor's examination the next day.

The girl escaped from the men, hailed a passing cab driver, who took her to Batesville and gave her money to return here. She showed no signs of having been struck or beaten after the assault.

Both men have been married more than 12 years. Wilbert Chappell, their attorney, said, McGarrh has two children, and McCain one. Their families were in the courtroom.

## TWO GIVEN SENTENCES IN NEGRO GIRL ATTACK

**Memphians Must Serve At Least 20 Months Of 5-Year Terms—Charges Not Denied**

(Picture on Page 28, 2)

William Glenn McCain and Augusta Woody McGarrh will have to serve at least 20 months in a Federal penitentiary for an attack last June on a 12-year-old Memphis Negro girl.

The two received five-year sentences in a surprise hearing in Federal Court yesterday on a charge that they violated the Mann Act by taking the girl from here to Panola County, Miss., for "immoral purposes." This is the maximum sentence possible under this law and, with credits for good behavior, can be served in one-third less time.

Thomas Farnsworth, assistant district attorney, told Judge Boyd he Government was prepared to drop a kidnapping indictment. McCain and McGarrh were indicted on both charges in November.

McGarrh, who is 31, and lives at 675 Gillis, said in court the Government's outline of the case was correct, while McCain said he "was so liquored up, I don't know just what will happen." McCain is 37 and lives at 381 South Waldron.

The Federal Grand Jury here indicted the two men after the Panola County Grand Jury freed them of charges of statutory rape last October in Batesville.

Mr. Farnsworth said that about 10 days before the assault McGarrh talked with the child about working for him as a baby sitter. Late on the afternoon of June 7, McGarrh went to the child's home and talked with her mother about the little girl working for him. Instead of driving to the McGarrh home, Mr. Farnsworth said, McGarrh and McCain headed directly to Mississippi.

Assault Verified

They stopped the car near Courtland, Miss., took the girl into a field and there assaulted her. Mr.

8427

# His Allison Is Granted New Lease On His Life

WACO, TEXAS.—The appeal of James Allison, condemned to death for the alleged rape of a white woman, has been granted by the Texas Court of Criminal Appeals.

Vis in which Mr. Davis stated: "I am not criticizing the defendant for bringing a witness of the same race. I just want to let you (the jury) know for the purpose of the record they (Negroes) try to help their own race."

It is this type of argument before criminal juries in the case of Negroes on trial that the new trial of Allison will attack.

In consenting to publish Mrs. Allison's plea, Carter W. Wesley, editor and publisher, stated that all interested persons who wish to see Allison get the new trial may mail or bring their contributions to the Informer Newspapers, 2418 Leeland avenue and the record will be kept and names released if contributors so desire. Mrs. Allison was endorsed by the NAACP to solicit funds.

## Kape Case Goes

### To Supreme Court

*Blaire*

*Oppostah*

WASHINGTON. — (AP)—Maor Preston of Huntsville, Texas, who faces a death sentence for the alleged rape of a white woman, has appealed his case to the Supreme court.

Preston contends that race discrimination was practiced in the selection of the grand jury and the petit jury.

He further claims that he was illegally coerced into making a confession. He was placed in the "death house," he said, until a confession was obtained.

The case came to the attention of the Supreme Court after the Texas Criminal Court of Appeals had upheld the death sentence imposed by the lower court of that state.

The Supreme Court will be tried on the question whether the evidence was sufficient to sustain the conviction. Attorney General of the state, Sam J.

# NEGROES CANNOT AGREE WITH WHITES WHO WOULD FREE MARINE WHO RAPED YOUNG NEGRO GIRL

## Panel Disputed

### Virginia Judge Dismisses Panel When Three Blacks Deadlock Over Verdict

FREDERICKSBURG, Va. — (AP) — A jury of six Negro and six white men couldn't agree last week whether a 42-year-old white Marine warrant officer was guilty of raping a young Negro girl.

The jury was discharged after informing Judge Leon Boyle in Spotsylvania Circuit court that it was hopelessly deadlocked. It was reported that the split was six to six.

There was no immediate official disclosure how the split occurred, but there were reports that the six white men were for acquittal and the six Negro men were in favor of conviction.

Judge Bayile declared a mistrial, and set Dec. 11-12 for a new trial.

Counsel for the accused, Clifford G. Wulk, a veteran of 26 years in the Marine Corps, contended that 16-year-old Florence Pratt consented to sexual relations with the defendant. The story of the case is as follows:

Wulk, who is stationed at Quantico, Va., got the girl to baby sit while he and Mrs. Wulk went to a dance one night last October. When Wulk took the girl home early the morning of Oct. 19 she testified he drove the car off the road into a wooded area and forcibly raped her. She said she was too scared to resist.

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### Mistrial Declared in Case Of White Man Charged With Raping Negro Girl

## Jury Splits On Virginia Rape Case

SPOTSYLVANIA COURTHOUSE, Va.—A jury of six Negroes and six whites was "hopelessly deadlocked" last week after hearing evidence brought against Clifford G. Wulk, Marine corps warrant officer charged with raping a 16-year-old Negro baby sitter.

It was reported that the split was six-to-six.

Wulk is accused of raping the girl when he drove her home early in the morning of Oct. 16, 1951. The girl had cared for the Wulks' child while they were at a dance.

The prosecution of the case gained the support of the NAACP branch in Fredericksburg.

# Hung Jury For Marine In Baby-Sitter Rape Trial

(Special to Journal and Guide)

SPOTSYLVANIA, Va. — A trial which generated more public interest than any criminal case in the history of Spotsylvania County ended Saturday in a mistrial after two days of lurid testimony before a packed courtroom. *9-20-52*

The defendant was a white Marine officer, charged with raping his 16 year old colored baby sitter, junior at the John Marshall High School.

JUDGE LEON A. BOZILE dismissed the hopelessly deadlocked jury of six colored and six white men, declared a mistrial and set Dec. 11 as the new trial date.

The defendant, Clifford George Wulk, a chief warrant officer assigned to the Quantico Marine Base at which Wulk said he had taken "several" drinks.

The 16-year-old victim had tended the Wulk's baby while the couple attended a dance at the Marine base at which Wulk said he had taken "several" drinks.

THE BABY SITTER testified that Mrs. Wulk was to take her home but that Wulk suddenly decided to do it. She said he pulled off the road into a wooded area about a mile and a half from her home and forcibly raped her.

Upon arriving at her home, the girl ran to her mother crying. Her father, ran out of the house and asked Wulk: "What have you done to my daughter?", according to testimony at the trial.

The girl was first carried to the police station, then to Mary Hospital, Fredericksburg, where she was examined by two doctors who reported finding evidence of forcible sexual inter-

course.

### Was A Virgin

Dr. Thomas B. Payne, staff physician, testified that in his opinion, the girl was a virgin prior to the incident.

The trial got underway Friday morning before a jury of six colored and six white men. At the outset, Judge Bayile overruled three defense motions to quash the panel of jurors.

During the trial the clothes worn by the defendant, Wulk, and the baby sitter, were submitted as evidence. An FBI agent testified that the clothes worn by both contained bloodstains and male semen.

Taking the stand in his own defense, Wulk explained the condition of his clothes by saying that he had a sexual intercourse with his wife in the bathroom of their home a few days previously, with his clothes on.

### Martin A. Martin Speaks

During a brilliant 40-minute summation to the jury, Martin A. Martin, NAACP attorney and spe-

cial prosecutor in the case, outlined 15 circumstances pointing to the defendant's guilt, none of which Wulk denied.

Wulk, a 42-year-old veteran of 26 years in the Marine Corps, was indicted in December, 1951, but was not brought to trial until June of 1952 after the NAACP sent attorneys to Spotsylvania County to investigate the case.

In June the case was continued until September because the county sheriff had not filed a proper list of jurors. *9-20-52*

The case generated more interest than any litigation in the history of Spotsylvania County. The Fredericksburg Branch and Spotsylvania Branch of the NAACP supported the prosecution under the able direction of W. Lester Banks, executive secretary of the Va. State Conference of NAACP Branches.

# Man Given Life Ages Answered For Attempted Criminal Attack

Dat - 11-1-62  
Walter Woodson, 35,  
Denies He Molested

White Spinster, 46,

PALMYRA, Va. — Found guilty of attempting to criminally attack a white woman, Walter James Woodson, 35-year-old Richmonder, was sentenced to life imprisonment here Friday.

A Fluvanna County Circuit Court jury found Woodson guilty and returned its verdict at midnight after only an hour's deliberation.

Woodson's lawyer had stirred considerable interest in this area and in Richmond, his home town. The attack allegedly occurred on Aug. 6, while Woodson, a hotel woker, was vacationing here at his mother's home.

#### Mother Supports Testimony

His mother, Mrs. Annie Woodson, said that on the night of the alleged crime her son was home in bed. Woodson, who took the stand before his mother, testified that he was asleep at the time.

The complainant, a 46-year-old unmarried white woman, said that her neighbors saved her from being attacked.

The woman said that Woodson knocked on her door about 8 p.m. and asked for some candles for his mother's house. She said she went back to get the candles and that he grabbed her, threw her down and attempted to criminally attack her.

The woman testified that her niece saw this and ran some yards to a neighbor's house for help.

Meanwhile, she continued, Woodson dragged her to the back porch through the garden and a barn where he again attempted to assault her. At that time neighbors arrived and Woodson ran, the spinster testified.

Woodson's mother lived near the woman who said she was attacked.

Mortician Fined \$100

Walter Moody, 44-year-old

citizen of West Point, Va., was fined \$200 in police court Tuesday and given a 90-day suspended sentence after being convicted of passing six worthless checks.

At his first hearing in police court Oct. 20, Moody collapsed and was removed from the courtroom on a stretcher. Moody was released after treatment at St. Philip Hospital for a heart condition.

#### Price Cleared On Tax Count

E. Everett Price, well-known mortician of 25th St. was cleared of charges of income tax evasion in Federal Court last week.

Price, through his attorney, told the Federal grand jury that at the time of the alleged violations he failed to file income tax returns because he did not think that the revenue belonged to him.

He was operating the business at that time for a deceased relative, the court was told.

## Life Sentence For Conviction Of Rape Attempt

PALMYRA, Va.—Life imprisonment was the sentence meted out to Walter James Woodson, 35, Friday night following his conviction on an attempted rape charge preferred by a Fluvanna county white woman.

A jury in the county circuit court returned the guilty verdict following one hour of deliberations at the climax of a one-day trial. The verdict was heard by a packed courtroom.

WOODSON, of near Columbia, was found guilty on a charge brought by an unmarried 46-year-old woman. She testified that Woodson came to her house the night of August 6 and then tried to rape her after dragging her out of the house into the garden. She said only the arrival of neighbors on the scene saved her.

Woodson took the stand last night to insist he was home in bed at the time the offense reportedly took place. His mother, Mrs. Annie Woodson, backed up that testimony.

Meanwhile, she continued, Woodson dragged her to the back porch through the garden and a barn where he again attempted to assault her. At that time neighbors arrived and Woodson ran, the spinster testified.

Woodson's mother lived near the woman who said she was attacked.

Mortician Fined \$100

Walter Moody, 44-year-old

8432

**Man Saved From Chair  
By Bolt Of Lightning**

RICHMOND, Va., July 1 (AP)—Lightning struck a blow for life—a temporary reprieve for a man sentenced to die in the electric chair.

Albert Jackson Jr., 24-year-old Charlottesville Negro, was slated to be electrocuted yesterday for the rape of a 40-year-old white woman.

But lightning damaged the power line leading to the chair at the state penitentiary here on Friday. Repairs were not completed until Monday.

Now the condemned man faces trial court—for a new death date.

**says Negro Rapist Did Not Receive 'Equal Justice'**

They buried Albert Jackson out in the Oakwood Cemetery last week. He was electrocuted because he had been convicted for rape of a white woman.

Twelve citizens of Charlottesville found him guilty upon the evidence that had been presented. One member of the jury was a Negro man. His lawyer, another Negro man, was given every professional courtesy by the local judge and the local prosecuting attorney. There were no signs of racial prejudice throughout the two days of the trial in the Charlottesville Corporation Court.

Request was made for appeal. The Virginia high court heard the appeal. Request was made for a personal appeal to Governor Battle, and Governor Battle heard that plea and received the hundreds of petitions for mercy that had been sent in by well-meaning white and Negro residents of Jackson's home town.

But at the end of it all, Albert Jackson was strapped in the electric chair and burned to death because he had raped a white woman.

No fair-minded person can say that Jackson did not get a fair trial. Those of us who sat in on parts of it and read all of the evidence believe that he did.

No one will contend that Jackson was placed at a disadvantage because he did not have the benefit of proper counsel. Gregory Swanson, who handled the defense in lower court, and Spottswood Robinson, of Richmond, who joined Swanson in the appeal, put everything that they had in the case

and exhausted every legal right that the defendant had.

No one can say that the members of the jury were unduly influenced by the hostile atmosphere of the courtroom during the trial. No Klansmen paraded across the courthouse lawn, no crosses were burned, no threats were received by Mr. Swanson, and no "incidents" marred the proceedings during the two days of the trial.

On the surface, Albert Jackson received a fair trial and was convicted upon the evidence presented to a jury of his fellow-townspeople.

But Albert Jackson did not receive equal justice before the Virginia courts, and the judge who pronounced the sentence and the members of the jury who brought in the verdict and the attorney who prosecuted the case must all be aware of this unfortunate fact.

Albert Jackson died because he

had raped a white woman this time. He had only received 10 years when he raped a Negro woman and was released on parole after having served less than three years of that sentence.

Nobody dies for rape in Virginia when the victim happens to be a Negro woman.

Albert Jackson died because he was a Negro rapist. White men rape, but no white man has ever received the death sentence for rape since 1908.

T. J. SELLERS,  
Charlottesville.

# Jackson Dies

## Praying That

## World Seek God

Last Ditch Mercy Plea Fails;

Doomed Man Faces Death Chair

With Prayer For The World

RICHMOND, July 2 (AP)—Declaring that he was "ready to die" 24-year-old Albert Jackson Jr. walked calmly to the electric chair Monday morning after thanking "all the people who had attempted to save his life."

In his last letter home, Jackson wrote to the world: "Please don't shed a tear for me. Cry for those who aren't trying to accept God."

At 7:30 a.m. Jackson was pronounced dead. He paid the supreme penalty for the criminal attack of a 40-year-old white waitress in Charlottesville.

The execution went off as scheduled despite last-minute efforts by Spottswood Robinson, Gregory Swanson and Howard H. Carwile, attorneys employed in his behalf.

### Writ Turned Down

Mr. Carwile, employed just 24 hours before the scheduled execution, hurriedly prepared a writ of habeas corpus which was turned down by Judge M. Ray Doubles of Hustings Court Part II and later by Judge Leon M. Bazile of Elmont, of the 15th Circuit Court.

Attempts to reach several other local judges failed, Mr. Carwile told the AFRO.

The writ charged that Jackson had been declared mentally ill in 1948 and that he had not been examined by a psychiatrist since that time.

Mr. Carwile wanted time to have an independent psychiatrist examine the condemned man.

Earlier in the week Attorneys Swanson and Robinson appeared before Governor John S. Battle and asked for a commutation of sentence. This was denied.

The NAACP lawyers then asked Federal Judge Hutcheson in Bordentown, Va., to grant a stay of execution until a three-judge court could be appointed to hear the case. This was turned down.

### Cheerful To End

Jackson was smiling and cheerful on his last few hours. He talked freely with visitors and said he didn't want to see his mother as it "would only make things worse."

The handsome youth told Mr. Carwile that he "wasn't afraid to die." He reported sleeping soundly Saturday and Sunday nights.

As the hour of doom approached, Jackson became resigned to his fate. He thanked the people who had made such valiant efforts to save him.

"I realize that my chances now are very slim," he smiled.

Nature granted Jackson a reprieve when lightning struck wires leading to the electric chair. Jackson termed this an "act of God."

Another 30-day stay was granted for the commutation hearing, at which Spottswood Robinson II, attorney, made a brilliant plea for the man's life.

Arguing on the theory of "unequal justice" Mr. Robinson pointed out that no white man has ever been executed for criminal attack.

# Child Raped, 3 Imprisoned Girl Says Mom Urged Her

By JOHN F. MIDDLETON

NORFOLK—Between sobs and tears a ten-year-old girl in Corporation Court Monday told how she was raped by one man and two others attempted to have relations with her, while her deaf and dumb mother was on the scene reportedly having intercourse with another man. All of this followed a wine drinking session between the defendants, the girl and her mother. P. 2

As a result of her testimony, James Holly, 21, was given 12 years in the penitentiary for rape, and Emanuel Holly, 22, and Joseph Pitt, 19-year-old husband, were given 12 years for attempted rape by Judge Richard B. Spindle, Tuesday.

~~THE YOUNG GIRL~~ testified that she was attacked in the front seat of a truck parked in a scrap glass yard at Chapel street and the Norfolk and Western railroad tracks, July 18, by James Holly after she had fought off the attacks of Joseph Pitt. She was urged by her mother to have relations with Pitt, she said.

The girl testified that her mother put her (the girl's) arms around the defendant's neck and urged her to have relations with him.

~~WHEN HER MOTHER left the truck, Pitt then tried to attack her, but gave up the attempt when she kicked him in the stomach, she said.~~

After James Holly had raped her, she testified, Emanuel Holly, brother to James, got into the truck and tried to have relations with her. During his attempt, she reported, James Williams, night watchman at the yard, came to the truck and said that the police had arrived.

~~THE MEN THEN ran from the scene, according to the girl, leaving her in the truck.~~

~~During the time of her rela-~~

tions in the truck, her mother was having relations with an undisclosed number of men outside of the truck, she said.

**WHEN THE CAR** which was previously reported as being the police car turned out to be that of an unidentified acquaintance of the mother, the mother drove off with the man in the car, leaving the girl in the yard alone, she said.

When police officers, called by an unidentified woman, arrived at the scene, the girl was carried to the Youth Bureau, and Sgt. Raymond R. Racine, officer in charge, took the girl to Norfolk Community Hospital for medical examination.

**DR. THOMAS J.** Taylor, resident physician, said he found that there were indications of sexual relations but that laboratory tests of the fluids found in the examination showed no male secretions.

Dr. Taylor testified the girl had had sexual relations within six hours of his examination.

**ACCORDING TO** investigating officers the three defendants all admitted being on the scene at the time of the attack, James Holly reportedly admitted having relations with the mother and the girl. However, Joseph Pitt and Emanuel Holly denied having intercourse, but admitted trying to have sexual relations with the girl, following the wine-drinking session.

When questioned as to her virginity, the girl stated she had had sexual relations on one or two occasions before, but could not remember with whom or when the acts were committed.

Albert Jackson Jr.

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## Accused Negro Is Held In Geneva Assault Case

DOOTHAN, Ala., May 22 (AP)—A young Negro charged with raping a 12-year-old white girl in nearby Geneva County was being held in the county jail here today.

Booked as Reuben McMichael, 20, he was brought here for safekeeping. Sheriff Warren Register quoted the girl as saying the Negro attacked her in a ditch near Malvern yesterday while she was holding her small brother in her arms.

McMichael was arrested after the two law enforcement officers a detailed description of her attacker. No. 5-23. The arresting officers said the Negro admitted the attack while being taken to jail here and signed a written statement.

## Slayer of two officers rushed to Kilby Prison

TUSCALOOSA, Ala., May 10.—A crippled Negro ex-convict wounded another Negro and killed two investigating officers before he was captured nine hours later Saturday.

Police Chief W. D. Billingsley announced the arrest of lean Willie Hardie, 60. He was rushed to Kilby Prison under heavy guard.

Five hundred men were combing the countryside in an angry manhunt when Hardie was picked up walking along railroad tracks 22 miles south of Tuscaloosa.

Billingsley said Hardie confessed orally to the shotgun ambush of Detective J. Foster King, 69, former sheriff here, and Patrolman Homer F. Hubbard, 45.

He quoted the suspect as saying he thought "two Negroes" were after him.

### Taken to Kilby

THE POLICE CHIEF said Hardie was taken to Kilby for safekeeping. He said there was no mob threat but a crowd was hanging around the City Jail.

King and Hubbard were cut down with buckshot as they stepped out of a weather-beaten cabin two miles south of Tuscaloosa, where they had gone to arrest Hardie.

The Negro was released from prison only last year after serving 20 years on burglary sentences from Birmingham and Tuscaloosa.

Billingsley gave this account of the killings:

Calvin Williams, another Negro, was shot and seriously wounded late Friday night. King and Hubbard were at the hospital when he was brought in for treatment.

They hurried to the rural cabin where Hardie lived. Dessere Cook, 35-year-old Negro woman who also lived there, said he was "out in the woods."

### Both shot down

KING STEPPED OUT the door and snapped on his flashlight. A shotgun roared and the elderly detective dropped dead with his pistol still in its holster.

Hubbard drew his pistol and ran toward the gun flash, only to be met by another fatal charge of buckshot. The mortally wounded officer plunged down a 15-foot embankment.

Other Negroes living in the area heard the shot and called police.

The Cook woman, panic-stricken, said she ran to a nearby tourist court and hid beneath an automobile. She was arrested later and held as a material witness.

Hundreds of armed men quickly joined a widespread manhunt. More than 50 officers with bloodhounds led the search, but the numerous volunteers already had stamped out Hardie's trail.

The death weapon was found 75 feet from the door of the cabin.

Hardie has a stiff left arm and crippled left hand.

King served two four-year terms as Tuscaloosa County sheriff before joining the Tuscaloosa police force as a detective in 1943. Hubbard was a patrolman who joined the force in 1946.

## Negro Charged With Murder Breaks Loose

### 18-Year Alleged Killer Of Young White Woman Escapes Two Officers

SATSUMA, Ala., Dec. 21 (AP)—A slender, 18-year-old Negro charged with murdering a young white woman escaped today from sheriff's deputies who were taking him to Kilby Prison in Montgomery for safekeeping.

Sheriff William H. Holcombe said the prisoner, Henry Lee Brown, broke loose from two officers near the little community of Pennsylvania, north of here, and darted into a swamp while the deputies fired at him ineffectively.

Brown made his break about a few miles from the area where Mrs. Jesse P. Trueblood, 22, mother of a 3-year-old boy, was slain Wednesday. Mrs. Trueblood was beaten on the head, then shot when she went to chase hunters off her property here.

### Confession Signed

Holcombe announced last night that Brown had signed a confession to the slaying because he wanted "to get right with God." In the confession, Brown was quoted as saying, "I shot her in the face with the 12-gauge gun I was hunting with."

The sheriff said Brown gave no specific motive for the shooting.

Brown, who was not handcuffed, dashed to freedom when the deputies, who were driving him to Montgomery, stopped their car momentarily at Pennsylvania, about 20 miles north of Mobile on Highway 43. Holcombe said Brown had promised to point out to officers where he hid a shotgun shell used to kill Mrs. Trueblood.

A large-scale search was organized shortly after the escape. Bloodhounds were obtained from Atmore State Prison farm and two private planes were pressed into service.

### Volunteers Join Hunt

Alabama Highway Patrolmen joined with sheriff's deputies and volunteers afoot and on horseback in a search through the vast swampy area where Brown was believed hiding.

Meantime, funeral services were held this afternoon for Mrs. Trueblood from the Baptist Church where she and her husband taught Sunday School. Trueblood is a civilian employee of Brookley Air Force Base in Mobile.

Brown was picked up by officers a short time after Mrs. Trueblood was slain, but until late yesterday he had denied knowing anything about the killing. Holcombe said Mrs. Trueblood had warned Brown last Tuesday to stop hunting on her property.

# Killer Of Florida Medic Tells Inside Story

27g

By C. A. IRVIN, Director, Interstate News

RAIFORD, Fla.—The State Penitentiary—(Exclusive)—"I talked with Ruby McCollum." I was there because I wanted to do a job first-hand for the reading public of America, getting first hand, the why, the wherefores and the what in relation to the slaying she admits resulted from pistol bullets fired into the body of a prominent white doctor Dr. C. LeRoy Adams, who was also Democratic Senator-Nominee from Suwannee, Hamilton, and Lafayette Counties in West Florida.

Dairy record

Mrs. McCollum, who shortly after she had mortally wounded the doctor on Sunday morning August 4, while worship services were going in a small 4,500 population community of Live Oak, admitted that she fired five shots from a pistol she is alleged to have carried to the slain doctor's office. Investigating authorities led by the very cooperative Sheriff Sim Howell and his deputies said that one bullet struck Dr. Adams and that a fatal shot hit him near the heart, causing almost instant death.

## RUSHED AWAY FAST

Following the shooting the accused assailant fled the premises while two awaiting patients, both also colored, looked on in amazement after they claimed they had heard loud talk exchanged between the doctor and Mrs. McCollum.

The alarm was sent out hurriedly that Mrs. Ruby has shot and killed Dr. Adams in his office. Fear became evident everywhere in that small farm and tobacco growing community and first to the scene for a brief investigation and then over to Mrs. McCollum's home was Sheriff Howell and his chief aides—and sixty-seconds, not a second more and none less, Mrs. McCollum was on her way with them at a 90-mile per hour clip for the state prison where she was taken as a precaution.

The sheriff had not received any threats of Mrs. McCollum or himself but for reasons of making some correction in press releases shortly after the slaying I can say that Sheriff Howell had Mrs. Prisoner out of Live Oak and to Raiford so fast until if hostile and irate citizens had wanted to do her harm, they certainly would not have had time to do so.

On hearing the reports of the incident at Live Oak, I left Jacksonville with another newspaperman and photographer. We hurried to Live Oak by car. We found the town quiet, dark and just about everything closed with the exception of an almost empty juke joint. We made several inquiries, but most of these went for naught because no



MRS. RUBY MCCOLLUM

What Secrets Lurk Within? . . . . .  
body was brave enough to talk.

We learned while in Live Oak that shortly after the slaying, Mrs. McCollum's husband, wealthy farmer, tobacco farmer, extensive land holder, Samuel McCollum, Sr., was notified of the tragedy while he sat at worship in his church in Live Oak. He left right then.

He packed what he could gather to Ebenezerville near Zuber to the up hurriedly and hustled off by car home of his wife's mother, which to Ocala with three of his younger children upon the advice of a wag-tage dead in the wounded man, and enforcement officers and close friends not near any other homes. We learned about Mr. McCollum. We had learned on our arrival in

## HUSBAND'S DEATH SHOCKS

Once in Ocala from Live Oak where we went shortly after our arrival, we learned from reliable sources that McCollum had been there, paused briefly and had kept on with his children

and his children's get-a-way on our arrival.

The requests made by the warden were very readily complied with and after exchanging greetings we talked with Mrs. McCollum.

## INTERVIEW STARTS

The first question was "how do you feel," and she answered "not so good." We next asked if she needed medical attention since being there and her answer was "yes." She said she had received daily checkups.

When asked who her doctor was she said his name is Dr. H. H. Adams, the prison physician who lives in Starke, six miles away from the State Pen. We were interested to know whether she enjoyed her meals and asked her so, and she answered, "yes I enjoy them when I have an appetite."

We asked her next if she had been receiving medical attention prior to this involvement and her answer was "yes."

"What seemed to have been your trouble?" we asked next and her answer was "nervousness." Mrs. McCollum was next asked how long she had known the slain doctor and she replied by saying "several years." We asked if he was her family physician, and she answered

"Did he ever attend you at childbirth? I would like to say as I have no further questions to ask," and she said rather pathetically and sadly that "I hope the people will help me."

She appeared motherly—having every appearance, quiet, unassuming, worried and grief-stricken. She was arraigned last Friday at Live Oak, whence there hurriedly from Raiford and back, on first-degree murder charges.

If convicted on these charges she faces death in Florida's electric chair in the prison "flat top."

Mrs. McCollum now sits reflects and wonders if she will escape that death penalty asked of her by the State of Florida.

Follow this newspaper for further details of this heart-gripping drama of the century. It is filled with pathos, mystery and romantic revelations.

At 10:30 a. m. the next day, Tuesday, August 12, we presented our credentials at the main gate at the state penitentiary. Once inside, we shut out from the free world.

Warden Chapman called Supervisor of the Woman's Division of the prison, R. H. Cox and informed him to have Mrs. McCollum brought to his office for an interview and to permit us to make such photographs of her which would not conflict with the rules of the institution.

L. Cogdill of Jacksonville appeared in court here last Thursday and filed a motion to change the site of the trial of Mrs. McCollum. Cogdill argued that the case be tried in some other county than Suwanee, claiming a fair and impartial trial would not be possible here.

The hearing was held Thursday in Raiford, where Mrs. Mc-

Collum is being held for safe-keeping. *8-34-72*

State Atty. A. K. Black of Lake City maintained that the trial should be held in Suwanee County, and revealed that he intended to gather affidavits from citizens in every precinct as evidence that a fair trial would be given Mrs. McCollum here.

Another hearing has been set for this Thursday, Aug. 28, at 11 A. M. by Judge Adams who granted the defense and the state one week to gather evidence supporting Mr. Black's contention.

JUDGE ADAMS said, "We'll take all the time we need until this case can be tried disim-minedly and with proper regards for everybody's rights."

Mrs. McCollum pleaded "not guilty" at a hearing held last week and was returned to prison at Raiford immediately afterward. Approximately twenty policemen circulated among the orderly crowd in the court room.

No motive has been presented in court as to why Dr. Adams was shot, although it was reportedly over a bill for medical treatment. Mrs. McCollum's arrest occurred shortly after the slaying.

### Mommy's in Trouble— Held by a friend, Mrs. Marie Williams, the 13-

month-old baby of Mrs. Ruby McCollum was the center of attraction at the funeral of her father, the late Samuel McCollum, in Ocala, Fla., recently. Her mother is charged with the fatal shooting of Dr. C. LeRoy Adams, white, in Live Oak, Fla., July 3. There are three other McCollum children.

## State's Prosecutor Against Site Change

LIVE OAK, Fla.—The 13-month-old child of Mrs. Ruby McCollum, accused slayer of Dr. C. LeRoy Adams, popular local physician, may play an important role in the approaching trial, according to widespread rumor in this quiet little town. *Courtesy*

The cute baby, youngest of the four McCollum children, was the center of attraction at the funeral of Samuel McCollum in Ocala, Fla., recently.

McCollum died shortly after the slaying of his wife for the

IN THE meantime, Atty. John

8435

## Negro Woman Slays Doctor

LIVE OAK, Fla., Aug. 3 (P) — A Negro woman shot to death a white doctor today. A short time later 20 carloads of state troopers patrolled the streets of this restless north Florida town. *P. 12*

Dr. C. Leroy Adams, 42, Democratic state Senate nominee, was shot as he sat in his downtown office. Sheriff Sim Howell said, apparently in an argument over a medical bill.

Howell said Mrs. Ruby McCollum, 37, wife of a fairly well-to-do Negro farmer and mother of three, was arrested and taken to Raiford State Prison.

The sheriff said an angry crowd of more than 100 gathered at the courthouse as reports of the shooting spread. When Mrs. McCollum was brought out, he told the milling crowd he held another woman, one who was going to tell him who did the shooting.

Forty-five minutes later Mrs. McCollum was at the state prison. No charges were filed immediately. *Moorefield Gen.*

When the crowd in Live Oak, a prosperous farming center 85 miles west of Jacksonville, did not disperse, the sheriff sent for reinforcements from the state patrol.

Police Chief Worth Howard said three other Negro women patients in the doctor's office reported the argument over the size of Mrs. McCollum's bill. She was arrested at her home and first taken to the courthouse.

## Florida state police on all-night vigil after popular doctor slain

LIVE OAK, Fla., Aug. 4 (P) — A large contingent of state highway patrolmen kept an all-night vigil against possible trouble here after a Negro woman shot and killed C. Leroy Adams, popular doctor and Democratic nominee for the state Senate.

Sheriff Sim Howell said he arrested Mrs. Ruby McCollum, 37, and held her to the courthouse at Raiford at a 20-mile-an-hour clip while several cars followed him in

said he did not know whether the cars were following or whether their occupants were following him out.

*Burley*  
ADAMS, 42, WAS shot twice from behind as he stood at his desk Sunday in his downtown office and once again after he had fallen to the floor, in what apparently was a dispute over a medical bill, the sheriff said.

He said Mrs. McCollum, wife of a fairly well-to-do Negro farmer and mother of three children, admitted the shooting but did not give a reason. A murder charge was to be placed against her today.

Three other Negro women patients in the office at the time of the shooting said there was an argument over the size of Mrs. McCollum's bill.

## Husband Of Doctor's Slayer Dies

LIVE OAK, Fla., Aug. 4 (P) — Sam McCollum, a Negro who fled this inflamed community after his wife confessed killing a white country doctor, died of a heart attack today near Ocala, 100 miles to the south.

McCollum suffered two heart attacks yesterday after learning that his 37-year-old wife shot Dr. C. LeRoy Adams, 42, in his office. Nevertheless, he fled with his children to the home of friends near Ocala. Friends had warned him to leave town when feeling surged high among both whites and Negroes. *Atlanta*

To thwart any violence, Gov. Fuller Warren ordered the Negro woman, Ruby McCollum, held in Raiford State Prison for safe keeping. Carloads of state troopers, county and city officers who patrolled Live Oak streets yesterday and last night, disbanded this morning.

Sheriff Sim Howell said the patrolmen would remain on the alert.

Funeral services for Dr. Adams, a "very popular" physician with both races and a state senator-elect, will be held at 4 p. m. tomorrow in the Live Oak Methodist Church. Burial will follow in Live Oak Cemetery.

Sheriff Howell said the Negro woman, who was charged with

first-degree murder, admitted emptying a .32 caliber pistol into Dr. Adams' body during a dispute over a \$118 medical fee.

## NEGRO WOMAN PATIENT KILLS WHITE DOCTOR

### Sheriff Spirits Slayer to State Prison

Live Oak, Fla., Aug. 3 (P) — A Negro woman shot to death a white doctor today and shortly after 20 carloads of state troopers patrolled the streets of this restless north Florida town, Sheriff Sim Howell reported.

Dr. C. Leroy Adams, 42, Democratic state senate nominee, was shot as he sat in his downtown office, the sheriff said, apparently in an argument over a medical bill.

### Hold Mother of Three

Howell said Mrs. Ruby McCollum, 37, wife of a fairly well-to-do Negro farmer and mother of three, was arrested and taken to Raiford state prison. *Moorefield Gen.*

Howell said an angry crowd of more than 100 gathered at the courthouse as reports of the shooting spread. When Mrs. McCollum was brought out, he told the milling crowd that he held another woman, one who was going to tell him who did the shooting.

Forty-five minutes later Mrs. McCollum was at the state prison. No charges were filed immediately.

### Clutches \$100 Bill

Police Chief Worth Howard said Adams was found clutching a \$100 bill in one hand and a fountain pen in the other, "as if he had been about to make out a receipt."

Three other Negro women patients, Howell continued, were in the office at the time and reported the argument over the size of Mrs. McCollum's bill. She was arrested at her home and first taken to the courthouse.

## Murder of White Medical Technician On Powdered Legs

### Real Reason for Killing Unknown Mrs. McCollum Indicted by Grand Jury, May Tell All at Trial; Her Husband Dies of Heart Attack Day After Killing in Florida

Dat. 8-1-52 By JOHN A. DIAZ

LIVE OAK, Fla.—Why did Mrs. Ruby McCollum, 37-year-old mother of four children, kill white Dr. C. LeRoy Adams, 42, a State Senator-elect?

Arresting officers quoted the attractive brown-skinned woman as saying she pumped five bullets into the doctor's body following an argument in his office over a medical bill.

Negro residents of this small town hinted that there may have been other reasons for the shocking murder, but they are afraid to talk.

Shortly after the fatal shooting, Mrs. McCollum, *Moorefield Gen.* hustled out of town under heavy police guard while a暴形成的 mob attempted to grab her.

HER HUSBAND, Sam McCollum, prosperous farmer and businessman and a heavy shareholder in Central Life Insurance Company, fled town with his four children after receiving a death warning. But the warning was too weak for Mr. McCollum. He died of a heart attack yesterday. He got out of tension-strained

Yester-Sunday, the county seat of Marion County, Fla., where McCollum, *Moorefield Gen.* was known to many colored and white people.

Court officials are expected to call many witnesses to tell their stories. Will Mrs. McCollum talk when she comes to trial? Will she tell all?

Will she deny that the slaying was the result of an argument over a doctor's bill?

Her husband can't talk now. He was buried Monday

of this week.

Mr. McCollum died near Ocala, about 110 miles from here.

The severity of this small town was shown when a river was broken early last week by the pistol shots of McCollum. Apparently fled to her home after the shooting and later was arrested there.

The four McCullum children are, a son, Samuel Jr., 11; and 7 years, and one 13 months old. Mr. McCullum lives in Ocala, Fla.; a brother, Clifford (Buck) McCullum, in Dearfield, where he has a thriving business as a heavy stockholder in a lumber company.

## White Doctor Killed Mother Of 3 Held

LIVE OAK, Fla. — The mother of three children has been arrested here and charged with killing a white doctor as he sat in his office.

As a result of the event, Sheriff Sim Howell had to call out the State troopers in order to keep order in this farming center.

Dead is Dr. C. Leroy, 42, Democratic State Senate nominee. Held is Mrs. Ruby McCullum, 37, wife of a well-to-do farmer.

According to the sheriff, three other women in the doctor's office said that Mrs. McCullum and the physician quarreled over the size of Mrs. McCullum's medical bill.

Officials stated that the doctor was holding a \$100 bill in one hand and had a fountain pen in another when he was found. Mrs. McCullum was arrested at her house where a mob of 100 white persons soon gathered.

The sheriff then took her away from the courthouse.

## Husband Dies While Mob Hunts Wife

LIVE OAK, Fla. — Sam McCullum, husband of Mrs. Ruby McCullum, accused slayer of a white doctor and State Senator-elect, died of a heart attack a week after fleeing town with his four children to escape a mob.

Samuel McCullum, the husband of the defendant, was buried in Ocala last Monday. He died of a heart attack one day after his wife was arrested.

The prosperous farmer and "take" her from the local jail.

ONE DAY AFTER reaching

50 miles from Live

## Accused Slayer of White Doctor Says She'll Fight Murder Charge

By JOHN A. DIAZ

LIVE OAK, Fla. — It seems certain now that Mrs. Ruby McCullum, who allegedly confessed that she killed white Dr. LeRoy Adams here two weeks ago, will defend herself in court with revealing testimony about her life.

The attractive 37-year-old homewife, the mother of four children, was brought back to the courtroom yesterday and arraigned on a first-degree murder charge, and through her attorney, John L. Cogdill of Jacksonville, pleaded not guilty.

Mr. Cogdill told the Court that for the defense of Mrs. McCullum, he will be associated with one of Florida's best criminal lawyers.

### Courts

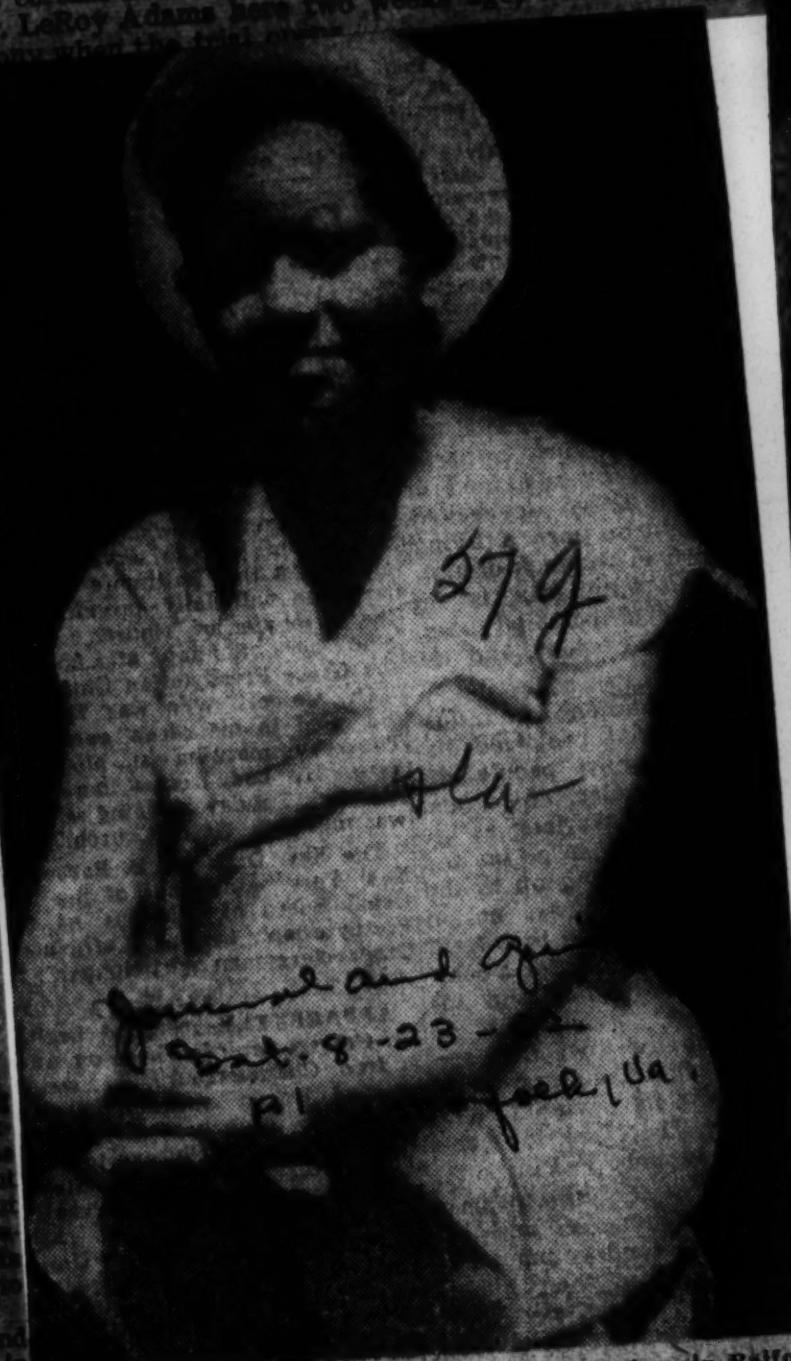
ON NEXT Thursday the defense attorneys will make motion for a change of venue, the Courier was reliably informed.

Now what it is well known that Mrs. McCullum will defend the slaying of the popular physician, the question being asked in Live Oak and surrounding communities is: "Will she all?"

While Mrs. McCullum's white attorney refused to divulge to the Courier the line of defense that will be used, the trial promises to be one of the most sensational in the annals of Florida courts.

At last Thursday's hearing when Mrs. McCullum was arraigned there was calm in the courthouse, where only about thirty persons were present. But there were several highway patrolmen and a few deputy sheriffs outside the court, probably to prevent any serious incidents.

Samuel McCullum, the husband of the defendant, was buried in Ocala last Monday. He died of a heart attack one day after his wife was arrested.



MRS. RUBY McCULLUM

Rushed under heavy guard to the state prison in Raiford, Fla., Mrs. Ruby McCullum, escaped a mob that attempted to take her from the Live Oak, Fla. jail after she was charged with slaying a white State Senator-elect.

Her husband, who fled with his four children, died of a heart attack after reaching safety in Ocala, about 70 miles away.

27g 1952

Georgia

8436

Held  
Connection  
in slaying 27g

ATLANTA, Ga. (INS)—A Negro man who reportedly signed a detailed confession of the slaying of Mrs. Helen Johnson in Jones County, was held in Bibb County jail Saturday morning.

Sheriff R. H. Hawkins of Jones County said that Ernest Henry Johnson declared he intended to commit suicide after slashing the throat of Mrs. Helen Johnson Christmas night, but someone had stolen his pistol. The sheriff said bloody footprints on the floor of the abandoned farmhouse where the victim's body was found were matched with Johnson's prints on Johnson's coat. Hawkins said the illegal pocket knife with which the murder was committed was found in

8437

# Rape Suspect Still Being Held In Birmingham Jail

*27h(1) 1952*

By MARCEL HORN

A 32-year-old man was still confined in City Jail this week held on suspicion of raping a 17-year-old white woman last Sunday morning before they break, police said today.

Police identified the man as Everett Craig, of 1728 South Ninth Avenue.

Investigators treated the alleged victim as saying that she was sitting in her (parked) car at South Ninth Avenue and 18th Street, between three and four a.m. last Sunday morning, that her son had left car and an unknown (colored) man came up to the car and allegedly forced her from the car; took her between some houses, and threw her down on the back porch of a house at the corner of 18th and Ninth Avenue.

The woman claimed further, police quoted, that the rape-suspect then held a knife at her throat and criminally attacked her.

Police said the alleged victim was examined by a doctor later in the day, Sunday, around 12:30 p.m., the report also indicated that she had been bitten on her legs several times.

Officials said the victim gave her residence at 931 South Fourteenth Street.

## RAPE CHARGES DROPPED TWO BOYS RELEASED

Two 18-year-old boys were cleared of charges of rape and robbery and released from City Jail Tuesday, officials report.

The two cleared youths were identified as William Jackson,

1820 North 24th Avenue, and Eddie Merkerson, of 1913 North Avenue.

Both youths had been in connection with the alleged criminal assault of 24-year-old woman last Sunday morning.

Officers investigating said they learned that the alleged attack on the woman, who gave her address as 408 1-3 Martha Court, occurred around three a.m. between 24th and 25th Streets and North 24th Court.

## LOOKING FOR ANOTHER MAN

Investigators and they were searching for another (still unidentified) man whom they believe committed the alleged attack on the woman.

BIRMINGHAM, ALA. (UPI)—Police received information Monday that an unknown man, about 30 years old, forced a 17-year-old girl to the area of 18th Street between the railroad tracks and 24th Avenue and attempted to rape her. The child, who lives at 4205 North 18th Court, told police the assailant assaulted her around ten o'clock Sunday morning. Bloodstained clothes were found at his home, Mosley said, and his underclothes also bore bloodstains.

**Negro Jailed  
After Attack  
On Woman Here**

*Advertiser*  
Drum-Player Admits  
Beating Montgomerian  
At Her Fairview Home

By JOE AZBELL

CITY EDITOR, THE ADVERTISER—A middle-aged white woman was attacked by a Negro at her home here yesterday and several hours later, a 17-year-old Negro was arrested and admitted the attack, according to a joint statement of Chief Deputy Sheriff George Mosley and Police Commissioner Earl James.

The Negro gave the name of Jeremiah Reeves, who said he lives at 35 Gravel Pit Alley (just across from the Montgomery Tuberculosis Sanatorium.)

No formal charge had been made against the Negro late last night, but law enforcement officials said, they would probably charge him before midnight.

He was picked up after Mrs. Frances Prescott, 46, told police a light-colored Negro "attempted

to rape her and then struck her

in the head when she resisted

at her home in Fairview and

Cleveland apartment project.

Immediately following the re-

port at 10:30 a.m., a roadblock was set up on streets near the

apartment project and around the Negro residential areas.

Dogs (barking) were brought in the Fairview area in an effort to run down the attacker.

The dogs, however, were found near the apartment project, he said, he took off his boots "to run faster."

Early in the afternoon, Deputy

Sheriff H. W. Mitchell, Lyde

Jones and Police Lt. T. H. Sims

got the information from a taxi

cab operator and other uniden-

tified sources on where the at-

tacker had fled. The actual arrest

was made by Deputies J. D. Tally

and Wilson Armstrong and High-

way Patrolmen Charles D. Glass-

cock and Joe Hedgepeth. Blood-

stained clothes were found at his

home, Mosley said, and his under-

clothes also bore bloodstains.

**Arrested Going To School**

The Negro was arrested as he left the Negro YMCA on Monroe and McDonough to go to Booker Donough Streets.

"I left there going back to the

block (death row) at Kilby yes-

terday," this reporter heard the

calm young Negro say again and on his person at the time of his

again as he held a Bible in his arrest. Mosley said that the Negro

admitted attending a "sex type

picture" at a theater Sunday

night. The movie was "Bitter

Rice."

**Has Scar Bleaches**

Reeves had a sex picture book

calm young Negro say again and on his person at the time of his

again as he held a Bible in his arrest. Mosley said that the Negro

admitted attending a "sex type

picture" at a theater Sunday

night. The movie was "Bitter

Rice."

**Reeves Makes Statement**

At 3:30 p.m., Reeves, who was

dressed in a corduroy shirt,

brown pants, and white and

brown loafers, made this state-

ment at Kilby Prison to this re-

porter on his activities yester-

day:

"I went to 3022 Cleveland Ave.

Saturday afternoon and delivered

some dishes for a downtown

jewelry store."

"I was riding on Myers' De-

livery Truck with my daddy. The

lady who lives at 3022 Cleveland

Avenue told me she was going

to leave the front door open Mon-

day morning so I could get back

in and deliver a package from

Hibash."

"I thought about going ou-

there and robbing her this morn-

ing so I caught a City Lines bu-

nd went out there."

"The front door was open an-

I went on in the house and the

lady was in bed."

"I went in the bedroom lookin-

for some money and she was ly-

ing on the bed."

# *Independent P.I.*

## Police, Posse, Hounds, Everything Ready For Lynching, But No Victim

MOBILE, Ala. — A three-day manhunt, launched last week when a white woman said she had been raped by a Negro near Saraland, fizzled when the truth leaked out.

The "rapist" hunt, a favorite Dixie summer sport, was the real thing—with bloodhounds, heavily armed law officers and an armed posse.

They searched Negro cabins, combed the woods and beat the bushes about 10 miles north of Mobile.

The woman, 50 years old, and her husband, told officers a "black" Negro, whom they had given a ride in a pickup truck on highway 11, was the "attacker."

Officers obligingly said the incoherency of the couple about the incident was due to her "state of hysteria."

The "law" pictured the woman

as having "fought that man until she couldn't stand up."

Deputies Herman Blake and Floyd Owens said in effect of

the "dazed" woman lay, the "law" *slept* on her.

The phantom "rapist" was reported as having been seen later all over the state—in Birmingham, Montgomery, and other places.

However, the truth later came to light. Friday Mobile County officers said an alert for the alleged 'attacker' had been canceled—but that the investigation would be continued.

Deputy Herman Blake said that officers had contacted the "suspect" and that the man would not be charged with the crime—at least for the present.

It was reliably reported the man telephoned the sheriff's office and told them he was not guilty of rape or any other offense and that he would come in and tell "all I know."

After the conference, it was understood officers changed the channel of investigation, but remained tight-lipped about the latest development.

brush, eight by 12 feet, was "matted down like a fibre rug where the woman was found and the alleged attack took place." They added that her skirt and blouse were "torn almost to shreds."

The officers admitted having fired at the elusive phantom when he was sighted near Satsuma about 12 miles north of Mobile.

They "explained" that when the woman's husband got out of the truck on the highway, the Negro sped away with her to an isolated spot on a dirt road for "lascivious" purposes.

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as having "fought that man until she couldn't stand up."

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The phantom "rapist" was reported as having been seen later all over the state—in Birmingham, Montgomery, and other places.

However, the truth later came to light. Friday Mobile County officers said an alert for the alleged 'attacker' had been canceled—but that the investigation would be continued.

Deputy Herman Blake said that officers had contacted the "suspect" and that the man would not be charged with the crime—at least for the present.

It was reliably reported the man telephoned the sheriff's office and told them he was not guilty of rape or any other offense and that he would come in and tell "all I know."

After the conference, it was understood officers changed the channel of investigation, but remained tight-lipped about the latest development.

brush, eight by 12 feet, was "matted down like a fibre rug where the woman was found and the alleged attack took place." They added that her skirt and blouse were "torn almost to shreds."

8438

**'All A Mistake'**

The case of John Smith, the 19-year-old Negro veteran who was chased 20 miles, fired at by a would-be captor, and scared half to death—all out of "mistake"—is a graphic illustration of the way mob hysteria develops.

Well-meaning citizens are often more interested in summary, on-the-spot punishment for the crime they assume has been committed than they are in bringing the fugitive to justice. To them, the fact that a man was fleeing was sufficient evidence of his guilt. Actually, as it turned out, in this case, it was merely evidence of his fear. And the fear was apparently justified. One farmer looking for Smith was heard to say that he wanted to kill the Negro but couldn't get close enough. Another pursuer shot at him.

Following on the heels of the Jeremiah Reeves rape conviction, the hysteria which threatened Smith is partly understandable. Happily, the law moved swiftly, preventing a possible tragedy.

**Negro Arrested  
After Man Hunt**

A manhunt led by bloodhounds and directed by a spotting airplane caught a fleeing Negro yesterday in a 20-mile cross-country race.

Chief Deputy Sheriff G. A. Mosley said a middle-aged white woman reported the youth advanced on her with a stick in the backyard of her residence on Montgomery's outskirts.

No charges were placed immediately against 19-year-old John Smith, Mosley said, but he will be charged with some form of assault tomorrow.

Smith ran at least 20 miles before he was guided by bloodhounds and a Civil Aeronautics Administration plane, caught him apparently to protect himself from dogs in the neighborhood. Lowndes County, the police said.

The plane kept track of the Negro as they followed the fugitive through the woods, according to Vincent Price, a neighbor. Price saw the plane fire a shotgun at the Negro and then turned in the alarm that he

by Sheriff G. A. Mosley Sr. ran the chase. Highway Patrol Sgt. Bankhead, a spotter plane from the Civil Aeronautics Administration circled Bates and Patrolman Joe Melton.

The chief deputy quoted the above pursuing bloodhounds from woman as saying she asked the Kilby Prison. Positions were Negro what he wanted when she adized to Dannelly Field and he saw him in the yard, but "he layed to state patrol cars."

She ducked under a wire fence and ran to the house of a neighbor 200 yards away. The neighbor, Vincent Price, followed Smith, and fired at him with a shotgun, Mosley said.

**Fleet-footed youth  
caught, but police  
say it's all mistake**

MONTGOMERY, Ala., Dec. 3.—(AP)—State and County authorities today refused to file charges against a young Negro captured yesterday after a 20-mile chase touched off when a white woman became hysterical because the youth spoke to her.

"It was all a mistake," said Chief Deputy Sheriff George Mosley Jr. "No law was violated and we are turning the Negro loose." He said the decision was made after officers and Circuit Solicitor William F. Thetford had talked again this morning with both the Negro, John Smith, and the white woman.

MOSLEY SAID the woman told officers she became hysterical when the 19-year-old ex-soldier, still in uniform, approached her house near Montgomery yesterday and screamed and ran for help. But, the deputy continued, the woman made it clear that the Negro didn't touch or threaten her.

Mosley gave this version of the incident, based on talks with both parties this morning:

The house where the woman lived had been a store before he went into the Army and, thinking it still was, he went there to buy food. He had been helping a brother clear out a house nearby.

The woman became frightened when the Negro approached and forewarned, guided by bloodhounds and a Civil Aeronautics Association plane, caught him apparently to protect himself from dogs in the neighborhood. Lowndes County, the police said.

The plane kept track of the Negro. She ducked under a fence, Mosley through the woods, according to Vincent Price, a neighbor. Price saw the plane fire a shotgun at the Negro and then turned in the alarm that he

**Man Attempts Suicide  
of 13-Yr.-Old Girl**

Police received a report yesterday that an unknown man, about 30 years old, had driven a car into a girl in the area of 15th Street between the railroad and Union Avenue and attempted suicide.

The man, who was identified as 40-year-old North Point, told police the girl, who was unharmed, around 100 pounds, screamed and ran away June 22, after being struck either as having been hit by the car or in an index, weighing about 100 pounds, with a stick he had near on his right side.

12-3-52

## Evidence links P. O. clerk to assault, attempted rape

Bearing the unmistakable signs of having engaged a furiously battling woman at close quarters, a self-proclaimed postal clerk, Morris Wiley, was under arrest today on a charge of attempted burglary and rape after his own injuries drove him into police hands where he was promptly identified by his victims.

Wiley, 38, of 1320 W. Jefferson, was identified by Wilma Hamilton, 34, of 3719 McClintock and her husband, John, as the man who pounced on her Monday morning as she entered her home in the very shadow of the University police station; and after kayoing her husband, attempted to attack her.

"I don't know if he did or not. I was so dazed," Mrs. Hamilton told police.

Hamilton, a mechanical engineer at Lockheed, said that he regained consciousness to find Wiley fighting his wife ~~overhead~~ toward them and was struck again by the thug.

While the Hamiltons were being treated at the receiving hospital, she for possible rape and cerebral concussion, and Hamilton for a possible skull fracture, another ambulance at Normandie and Jefferson was picking up Wiley for treatment.

Police said that he had a punctured eyeball, fingernail gouges in his right forearm, and scratches; and that a receiving hospital nurse said she had wiped 'pancake' makeup from his face, neck, and clothing.

Moreover, officers said they found 9 pawn tickets on Wiley's person.

He was brought face to face with the Hamiltons who immediately identified him.

Police said comparisons were being made between scrapings of Wiley's skin and skin found beneath the battling Hamiltons' fingernails, and between the heels of Wiley's shoes and heelprints found outside the couple's house.

## Mother-daughter tell two-hour rape ordeal

Two 18-year-old eastside lads were in police custody this week, ending several days of rape terrorism of Los Angeles housewives, which resulted in three positive identifications of the two as brutal assailants and the possibility of several more.

Tracked down by the long memory of Newton police officers were Harrison Onrel Scribner, 18, of 1581 E. 42nd st., and Raymond Lee Scott, of 943½ E. 31st st., whom police are satisfied have attacked at least a half dozen women in Los Angeles county over the past two weeks.

In the most brutal of their assaults, the two boys raped and robbed an 18-year-old, east 47th st. girl and her mother over two hours Saturday night. Interrupted by the knock of an unknown party on the door, they fled after taking \$2.00 from the daughter and \$4.00 from the mother.

The women, whose names are withheld by the Tribune to save them embarrassment, furnished police with descriptions which stirred recognition in officers who had sent the boys up for burglary several months ago. Both were only recently released from Preston and

the CYA camp. Detective Sgt. Barney Hoskins, in charge of the investigation, stated:

Mug pictures of the boys were promptly picked from others by the eastside mother and her daughter, Hoskins said, and the homes of the youths staked out by police men.

However, while the police hunted their quarry, the two were attacking another eastside woman and attempting to attack a man in the adjoining University division, police said.

Evie Mae Wilson, of 1167 3-½ E. 35th st., was pulled from her home, sobbing and screaming, and bearing bruises and scratches about her neck, arms and legs.

The man, who lured her away from her companion by saying her grandmother had sent him for her, snoked, hit, and threatened her, the child told police.

Eva Mae was playing outside a fish market with Sharon Perkins, also of 1167 3-½ E. 42nd st., Winnie Mae Wilson, 860 E. 35th st., and Joyce Collins, address unknown, when the man approached them, police were told.

He told her he had some clothes for her, Eva Mae reported; and she said she told him, "Nevermind," and he'd have to ask her "granny, anyway," the child said.

The man went away, but returned, saying, "Your grandmother says it's okay," and took her by the arm, forcing her along, Eva Mae said. He walked her to 860 E. 35th st., where he forced her under the house and attacked her.

Sounds of the attack were heard by the occupant of the house, Mrs. Wilson, but she told police that she thought it was her dog.

Before releasing her, the man told her he would kill her if she told on him, Eva Mae told police.

The child makes her home with her grandmother, Mrs. Christina Marshall. Her mother is Mrs. Hilda Heiter, of 233 E. Adams.

## Child raped beneath 35th st. house

A 9-year-old child was raped and mistreated under an Eastside house, and police are seeking a brown-skinned, plump-faced man, clad in khaki pants and a brown hat, thought to be between the ages of 30 and 35.

Hospitalized after her experience

8439

✓ 27h(1) 1952 ✓

D.C.

8440

## Howard Co-ed Slayer Identified By Gov't Girl As Her Attacker

WASHINGTON, D. C.—ONNP—Donald Nathan Tyler, 22-year-old Howard University student charged with murdering a 19-year-old Howard co-ed classmate, was identified last Friday by a 24-year-old Government girl as the man who raped and robbed her at gunpoint on February 19, police said.

Tyler was arraigned last Friday on a charge that he shot Janet Ellen King to death on Monday night, February 18, and dumped her body on an unpaved, dead-end street. He was held without bond and sent to the District Jail.

Just before he was taken before United States Commissioner Ovill S. Lawrence, Tyler was picked from a police lineup by the Government worker and identified as the man who raped and robbed her, police said.

Tyler denied the charge, calmly telling the victim of the attack that she was mistaken about his identity. According to detectives, the girl said she left her home in the 1900 block of Second Street, Northwest, looking for a taxicab. At North Capitol and Channing Streets Northeast, she said, Tyler pulled alongside her in a powder blue automobile.

She told police, he stopped, crossed in front of her, wheeled around and pointed a small gun at her, and said:

"Do like I tell you and you won't get hurt."

Police said the girl told them Tyler then forced her into his car and took her to a patch of woods, where he took \$4 and a wrist watch from his victim, and then assaulted her.

Then he drove her home, asked her name, gave back the watch and \$1 and left. Police said she reported the incident immediately and gave a rather accurate description of Tyler.

Tyler gave himself up to police in Chicago last Wednesday. Lieutenant Lawrence A. Harinett of the homicide squad brought him back last Thursday.

The actual tip on his whereabouts came from his mother, now divorced and living in Washington. She told police she had received a call from someone in Chicago, in which he admitted he shot Miss King.

According to police, Miss King was criminally attacked, choked and shot three times. Tyler, who insists the shooting was accidental, last Friday confided that he also had robbed Miss King of \$200 M.

## Howard Coed 'Somewhat *Apostolic* Improved'

### Police Check Every Resident In Area For Clues

*Baltimore* WASHINGTON

A 20-year-old Howard Univ. coed was in "somewhat improved" condition at Freedmen's Hospital

Thursday, five days after she was criminally attacked and brutally beaten at the Mott School, just a block away from the university dormitory.

With the exception of her father, who traveled to Washington from Houston, Texas on Tuesday to be with his daughter, the young woman was still unable to see visitors.

Lt. John L. Sullivan, head of the sex squad, said that a policewoman would get a detailed statement from her on Thursday afternoon to supplement the basic facts on which police have been working.

Meanwhile, he said, every resident in the immediate area of 4th and W sts. nw., where the Mott School is located, was being interviewed and asked to help locate down the coed's assailant.

**Called Vicious Crime**  
"This was a vicious crime," Lieutenant Sullivan asserted. "The young woman was very badly beaten—brutally beaten."

"When she tried to scream, the man rammed his fist into her mouth to stop her. She was still semi-conscious when the two students came by who took her back to her dormitory."

"We are looking for a bad character and we hope to find him."

Lieutenant Sullivan pointed out that the block in which the Mott School is located has few passers-by at night, being situated opposite a deserted playground and with no dwelling houses in the block on either side.

The coed had visited a store on the next corner which is patronized

by many Howard and Freedmen's Hospital students.

### Knocked From Behind

She left Baldwin Hall where she resided at Howard, around 10 p.m. and was returning to the dormitory with purchases for herself and some of her classmates when the attacker knocked her down from behind and dragged her up the steps of the Mott School where the criminal assault took place.

He was described as being dark skinned, wearing a light colored shirt and dark trousers, between 20-30 years of age, about 5 ft. 6 in. tall, and weighing about 135 lbs.

Police said he had been severely scratched by the coed in her struggle.

The two men students who came by about 35 minutes after the attack occurred and took the girl to her dormitory, were Robey McDonald 18, and Aaron E. Wilkins, 19, both from Houston and both enrolled at the university.

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ILLINOIS

8441

## Held Minister Lay Under On Sex Count

Rev. L. P. Wade, of 1122 S. Whipple st., is being held over to the Grand Jury on charges of statutory rape, of a nine-year-old girl, it was learned this week.

Marquette station police said that Rev. Wade was accused of having intercourse with the girl June 9, in the basement of the above address. The girl's mother told police that she did not discover the incident until June 27 when she took her daughter to the County hospital. The girl revealed Rev. Wade as the person involved.

## Young Westside Housewife Raped

A 22-year-old housewife and glass wiper in a downtown department store, told Marquette station police that an unidentified man raped her in the rear of 1830 W. Roosevelt rd. Sunday.

The woman stated that the man picked her up in his car at Madison and California avs., and drove her to the above location where the act took place.

**ROBBER RAPES  
COP'S WIFE, 55,  
AFTER BEATING**

*Indicates*  
Clerk in Cleaning Shop

## Victim of Assault

The 55 year old wife of a ~~man~~ was raped by a Negro gunman yesterday in a cleaning and dyeing shop in the Englewood district where she is employed as a clerk.

She told police he produced a pistol and forced her into a back

room after asking if he could have a coat pressed, and discovering that the owner and tailor were away from the shop.

She said she offered him the contents of the cash register, but he merely told her "march!"

### ~~Knocks Her Down~~

In the rear room, she said, he knocked her down and raped her. Then he pulled two rings from her finger and pushed her into a washroom.

On the way from the shop, he took \$34 from the cash register.

The victim described her assailant as about 25 years old, 5 feet 8 inches tall, weighing about 140 pounds. She said he was a light skinned Negro with a hairline mustache, wearing a brown hat, brown shirt, and red and brown checked jacket.

She was taken to the detective bureau to examine photographs of suspected rapists.

### Held to Grand Jury

Chester Saunders, 29, Negro, of 6441 Ingleside av., was held to the grand jury yesterday by Judge Harold P. O'Connell in Felony court on a charge of assault with intent to commit rape.

Saunders was arrested July 5 at 81st and State sts. by policemen who saw him scuffling with an air force private on leave from Chanute field. The airman, Dean Love, 19, of 10770 Gladville av., Homewood, told police that Saunders had molested his girl friend, Miss Patricia Koch, 18, of 8126½ Indiana av., when Love and the girl stepped off a street car at 81st and State sts.

✓ 27h(1) 1952

Georgia

8442

# DO YOUths HELD ON SUSPICION OF ASSAULT

BY GEORGE COLEMAN

The youth were being held Tuesday morning jail on suspicion of rape in connection with the criminal assault of two women in separate instances late Monday and early Tuesday.

Two other youths were being sought in connection with each of the assaults, police reported.

## HAIR TIED TO SOFA

Henry Ivory, 17, of 3015 Morris St. N. E., was arrested late Monday on suspicion of rape of a 20-year-old African woman, Davis W. M. Adams and J. M. Jackson said.

The detectives interviewed the 20-year-old victim at Grady Hospital after she was rescued by two patrolmen who said they were forced to break down the door to her home at 2015 Morris.

Patrolmen Pendleton, Smith and Erickson, on duty at the Grady Emergency Clinic, responded to a call to the woman's house and upon arrival heard notes inside. They broke down the front door and found the victim on a sofa, with her hair wired to the middle portion of the springs of the sofa in the living room.

The victim was quoted as saying the woman screaming when I got one of the youth escaped. The other one was arrested by the patrolmen, the detectives related. Grady physicians were unable to determine the full extent of her injuries but holding her while the other assailant she suffered abrasions on the side of her face and lips.

## CARRIED TO GARAGE

William Lewis Duncan, 20, of 2000 S. Peachtree St., Ga., was arrested early Tuesday on suspicion of criminal assault of a 38-year-old woman for minor lacerations. The victim was quoted as saying the two men grabbed her from behind as she walked down Piedmont Avenue near Fort St., N. E.

Patrolmen J. M. Mullisford and L. J. Gruher said evidence of an

assault was established during an examination by Grady officials. Police said the woman stopped them on Auburn Ave., about 3:30 a. m. and told them she had been attacked. She pointed out Duncan as one of her assailants. No trace was discovered of the other alleged assailant, police said. After examination, a case was booked against the woman for being intoxicated police

ton County police and Sgt. W. V. Holley of the Georgia Bureau of Investigation identified the man as Howard Leroy Booker of Forest Park.

They said Booker, who was traced through telephone records found near the scene of the attack, admitted dragging the high school student into the woods near her home Saturday and assaulting her.

According to Clayton County Police Chief Jim Carr, the attack occurred when the girl was returning to her home after collecting mail at the family mailbox on the Philadelphia Church-Morrow Rd.

Chief Carr said Clayton County patrolmen H. C. Mayo and Tommy Brooks spotted tire prints in soft earth near the scene of the attack. Coupling the clue with information that a Negro man had been seen in the vicinity near the time of the crime, the two officers eventually made their way to Booker's home at Forest Park.

Arrested, Booker was identified by the girl in a police lineup, the Clayton County chief said, and was charged with assault with intent to rape and held for the next Clayton County grand jury.

## TWO ARRESTED

## On Suspicion of Assault

Auburn, Ga.

Two men were arrested early Tuesday after they were apprehended in the act of committing an assault on a 20-year-old Decatur, Ga., woman, police said.

Patrolmen Willard Richardson and James Richardson, both of 63 Bell Street, S. E., Apt. 100 and Johnnie B. Goodman, 17, of 500 Robin Street, were lodged in the city jail Tuesday on suspicion of rape.

Strickland, on duty at the Grady Emergency Clinic, related he was informed about 1 a. m. that a woman was screaming in a vacant lot at Piedmont and Edgewood Avenues near the old gas barn.

"I went out to investigate," Strickland said. "I could hear one of the youth escaped. The other one was arrested by the patrolmen." Arriving at the scene the officer

the detectives related. Grady physicians were unable to determine the full extent of her injuries but holding her while the other assailant she suffered abrasions on the side of her face and lips.

Escape but were apprehended by the officer.

Police said the major part of the men's clothing had been torn off Tuesday on suspicion of criminal assault and all three were treated at Grady Hospital for minor lacerations. The victim was quoted as saying the two men grabbed her from behind as she walked down Piedmont Avenue.

L. J. Gruher said evidence of an

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271-11-52

A 33-year-old Negro laborer was being held at an undisclosed jail Tuesday after Clayton County police said he confessed to the beating and attempted rape of a 16-year-old white girl.

Capt. S. E. Blalock of the Clay-

## Confession Reported in Sex Attack

271-11-52

A 33-year-old Negro laborer was being held at an undisclosed jail Tuesday after Clayton County police said he confessed to the beating and attempted rape of a 16-year-old white girl.

Capt. S. E. Blalock of the Clay-

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Germany

8443

## City GI held in attack on German waitress

A Birmingham soldier and a soldier from Columbus, Ga., have been formally charged with rape of a German waitress at Nuernberg, Germany.

Pvt. Otis Pugh, 24, was listed by The Associated Press as the Birmingham man. His street address was not given.

The Columbus, Ga., man was listed as Pvt. Johnny Bryson, 18.

The Army announcement, carried by The Associated Press, said six other soldiers were under questioning for allegedly threatening German patrons with bayonets while the girl, Anna Krems, was attacked.

MAJ. GEN. KENNETH E. CRAMER, commander of the 43rd Infantry, issued a statement that "no effort will be spared to see that justice is done."

Army investigators said the two (Pugh and Bryson) had been drinking on Thanksgiving at the Hohenfeld Inn, near Nuernberg, but refused further drinks after military curfew at midnight.

They said the pair went to their billets, persuaded six other soldiers to join them, then returned to the inn armed with bayonets.

## Rape Trial Begins For State Negro

AUGSBURG, Germany, Dec. 12.—A court martial for Pvt. Otis J. Pugh, Birmingham, Ala., Negro accused of raping a German woman and inciting a riot, got under way today.

Pvt. Tommy L. Bryson, 19, Columbus, Ga., Negro, was sentenced to life imprisonment on similar charges yesterday.

Court martial verdicts are subject to review by higher Army authorities.

Bryson and Pugh were accused of leading a group of U. S. Negro soldiers into a German workers canteen at Johenfels, near Regensburg, Thanksgiving night.

The prosecution charged the defendants kidnapped Mrs. Anna Maria Krems, 24, a waitress, at gunpoint after driving off German workmen who had tried to protect her.

Mrs. Krems, mother of two children, testified both Bryson and Pugh raped her, each threatening her with a gun while the other attacked.

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8444

# NAACP Asks Probe Of Rape Charge By Charity Patient

The New Orleans NAACP last week awaited District Attorney Severn T. Darden's report on an investigation made into the alleged rape of a 32-year-old mother of four children by a Charity Hospital physician April 9 while she was a patient in the institution. The alleged victim's charge touched off a series of events subsequent meeting of the hospital's Board of directors Wednesday, and the reported demand by resident physicians and interns that an administrative staff member be made to resign.

The alleged victim, whose youngest child was born in the hospital Feb. 23, told NAACP investigators this week that she left the institution Friday, April 11, because she was afraid to remain there.

Questioned Thursday about a three-hour closed meeting of the Charity Hospital board of directors Wednesday, April 16, Dr. Robert Bernhard, director, said there was nothing to the report. He said the matter had been fully investigated by District Attorney Darden.

It was learned however, that the executive meeting from which the press was barred, dealt with a petition from resident physicians and interns at the institution demanding the resignation of a member of the hospital's administrative staff.

The demand allegedly grew out of the woman patient's accusation.

District Attorney Darden was busy with the Orleans Parish Grand Jury Thursday and could not be reached for a statement. It was learned, however, that he had Assistant District Attorney Raoul Sere interview the alleged victim in the hospital last week.

Hospital attendants, obviously instructed to keep newsmen from interviewing the alleged victim, ejected a reporter for the Courier last Thursday.

An interview with Grand Jury Investigator Clarence Molinario last week disclosed that the accused physician had been arrested and taken into custody but had been released following the investigation.

The alleged victim said she was being treated for a rheumatic heart and had been taken to a darkened room for examination.

Louisiana

1864 make, re-fashioned as a .22 automatic.

He asked her if she had any money. She said no. Searching her he found a penny. He took that. By this time they had walked in the shadows of a patch of bushes.

She was told to step back in the bushes. With the revolver in her back he ordered her to keep quiet and to disrobe. He then forced his attentions upon her while he held the pistol in his right hand.

Just before they left the scene, he told her that he wanted to get better acquainted with her and wanted her for his "old lady".

At this point he then ordered her to meet him the next evening at the same spot at 6 o'clock. He threatened to kill her if she failed to keep the date. She agreed.

Immediately the victim notified police and they instructed her to keep the "date" and they would cover the place for her protection. She was ordered to drop a handkerchief and pick it up when the right man approached.

At 5:45 p.m. Officers Pecot and Keelen stationed themselves nearby under concealment. Then the young woman appeared on the scene.

She was approached by one man and seconds later a second man. She dropped the handkerchief and picked it up. The officers moved closer and ordered him under arrest.

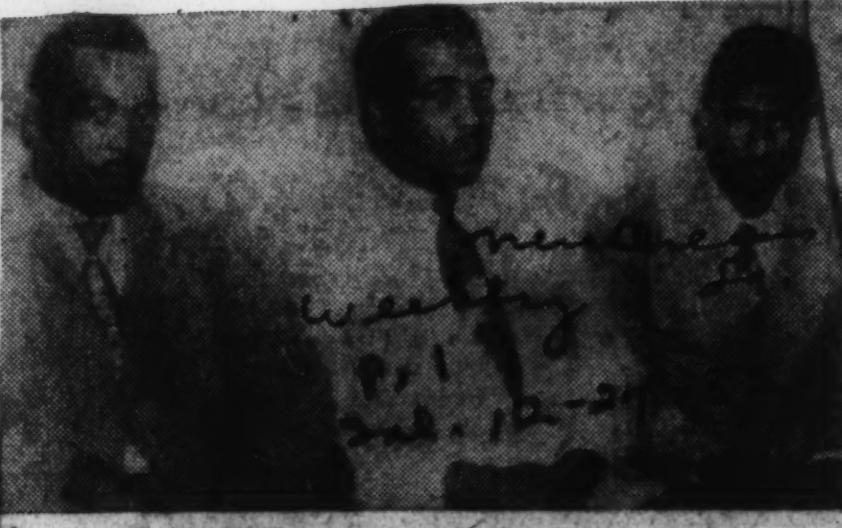
He was positively identified as the attacker on the previous night.

While Pecot held him under guard, Keelen went into a nearby residence to call the police wagon. A fight ensued between Pecot and the prisoner. He pushed Pecot who stumbled over the sidewalk curbing. He wrenched free from Pecot's arm and fled. The officer ran about 15 feet behind him, with the prisoner gaining. Pecot ordered him to halt. Failing to do so, Pecot fired once and the bullet struck the fleeing suspect in the right hip.

He was taken to Charity Hospital where he is confined under police guard.

The officers then searched Jolivett's room on North Galvez and apparently found the weapon used the previous night, a doctor's handbag containing medical tools, gloves, tennis shoes, claw hammer, screw driver and other paraphernalia.

Records show that Jolivett has served six years of a 10 year sentence relative to murder and 21 months of a previous rape charge. He was out on parole.



PATROLMEN DUNCAN, KEELIN AND PECOT

8449

Michigan

27h(1) 1952

## Kidnaps Girl From Family And Rapes Her

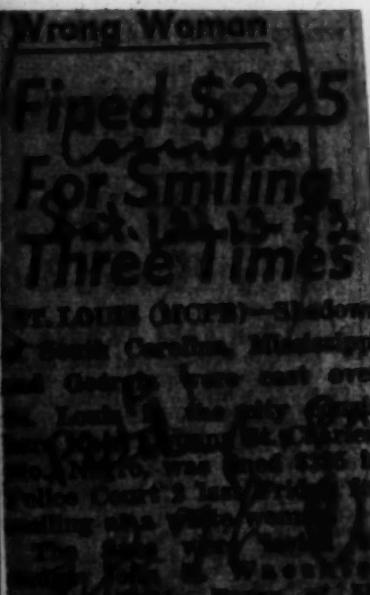
DETROIT — A 16-year-old girl was kidnapped Sunday evening by a friend of her family, in the presence of her cousins, eight and ten years of age.

The girl identified her assailant as Elmer Johnson, 35. The girl said after Johnson snatched her from the side of kin, he took her to a westside garage, and raped her on the floor at the point of a knife.

The child said Johnson threatened to kill her if she screamed.

The girl escaped from Johnson several hours later and made her way to the home of a relative.

Arrested: Johnson is held for investigation of kidnapping and rape.



Washington Street, St. Charles, Mo.

Barry was fined \$75 each on three charges of individual peace disturbance after he was arrested in the Eleventh Police District for smiling at Miss Barbara Campbell of 922 Forest Park Boulevard. The fines were ordered to run concurrently.

According to reports Barry is alleged to have driven past Miss Campbell three times on the successive evenings of Nov. 19-20-21, and he stood on the corner. The woman said she felt Barry was attempting to molest her as he smiled and tried to attract her attention. The man was fined under ordinance 11-11 for disturbing the peace of the woman by making uninvited and improper advances. His defense counsel was Att. James H. Connors Jr., son of City Court Judge J. James H. Connors Sr.

Handling the case for the circuit attorney's office here was Clark S. Frazier, a colored assistant, who is a brother of Dr. E. Franklin Frazier.

**FRAZIER TOLD** reporters here that as far as he is concerned the case is closed. When a photographer from the Argus snapped his picture in the hall of the Municipal Courts building, Frazier grabbed for his lapel and, when the photographer sped away, Frazier followed in hot pursuit.

Here is what is said to be the victims' story of the alleged

# Protest Freeing

## Citizens Aroused At Deal

ST. LOUIS (AP)—An aroused citizenry here this week soundly denounced the handling and what has been termed a "white-wash" of a criminal assault case involving two off-duty white police officers and two colored women and the arrest of five Negro newsmen.

Summoned before a Circuit Court grand jury last week in an almost unprecedented action were these newsmen:

N. A. SWEETS, publisher of the St. Louis American; Dennis G. Rodgers, president of the Mound City Press Club and city editor of the American; Lawrence A. Still, associate editor of the American and St. Louis correspondent of the Courier; Howard B. Woods, city editor of the St. Louis Argus, and Stephen Duncan, staff writer of the St. Louis Argus.

The summonses were issued after the St. Louis Argus and St. Louis American both pub-

lished front-page stories pointing out that certain "key witnesses" had not been called to testify before the grand jury in the case against the police officers.

Handling the case for the circuit attorney's office here was Clark S. Frazier, a colored assistant, who is a brother of Dr. E. Franklin Frazier.

FRAZIER TOLD reporters here that as far as he is concerned the case is closed. When a photographer from the Argus snapped his picture in the hall of the Municipal Courts building, Frazier grabbed for his lapel and, when the photographer sped away, Frazier followed in hot pursuit.

Here is what is said to be the victims' story of the alleged

attack of the police officers on the women.

The women were walking home about 11 P. M. on the night of July 14, when they were accosted by the two officers who were parked in their private car on Cass Avenue. The men asked why they were out so late, stating, "Don't you know we take women to the clinic (meaning the venereal disease control clinic) when we find them on the street?"

THE OFFICERS asked their addresses and let them go, promising to come by later that night and bring them their "clinic cards."

About an hour later, the women were sitting on the front steps of the mother of one of the victims when the officers pulled up, called one to the car and instructed her to meet them at an intersection in about half an hour.

The women did not keep the appointment but went instead in a party of four to the DuSable Lounge. About 1:30 A. M., the officers arrived, attempted to date the women while they had several drinks.

LATER AS they were leaving, the officers, parked at the curb, took the two women away from their companions, telling the others "we are taking them to the district."

The officers took them, instead, to the riverfront where they allegedly attacked them.

No action was taken in the case until the St. Louis Argus published a front-page editorial which declared: "Now They Rape."

The two officers, Corp. Bernard Callahan and Patrolman John Conahan, were then suspended.

✓ 27h(1) 1952

New Jersey

8450

## Atlantic City Preacher Accused Of Rape of Girl

*Karen*  
ATLANTIC CITY, N. J. — Jimmy Manuel Dickey, 57, was arrested in Harrisburg, Pa., by special agent of the FBI where officers said he was living under the name of E. Manuel S. K. McRae, special agent in charge of the FBI, for New Jersey announced the arrest of Dickey on a charge of unlawful flight to avoid prosecution for rape.

Dickey was indicted by the Atlantic county grand jury on Dec. 5, 1951, on charges of carnal abuse of a 13-year-old girl of Atlantic City.

The family of the 13-year-old girl resided in an apartment owned by Dickey.

At the time of his arrest police report Dickey said he had been a traveling evangelist for more than 20 years. He claims to be minister of the Pentecostal Holiness Church in Atlantic City.

**Girl Of 13  
Says Man, 65,  
Attacked Her  
Given \$2 A Visit,  
Child-Mother Says;  
Man Now Missing**

CAMDEN — A 13-year-old girl who gave birth to a baby girl on Oct. 15 charges a 65-year-old man with being the child's father.

George Arthur Foreman of 444 Berkley St., the accused, denied the charge in May when a complaint was first made against him by the girl's mother in behalf of her minor daughter.

The case is awaiting action in County prosecutor's office, and may soon be revived now that the child is born, authorities say.

The girl's mother said her daughter would go by Foreman's home when coming home from school.

*Gave Money, Child Says*  
She said the girl told her that

he gave her \$2 on each visit, but she knew nothing of it until informed by her daughter that she was pregnant.

"My mother went down to his house and told Foreman that I wanted to see him," the mother said.

"He came to the house, and when I told him what my daughter said, he denied it; but she kept telling him right in front of me that it was true, so I made the complaint."

The girl's absence from school was of such short duration, with school closing in June, that suspicion was created. When school reopened in September authorities soon found out the sordid, unfortunate story.

### Care Of Baby Sought

Now she must be excluded from school as "a technical necessity," a school spokesman said.

"The prime interest right now is care of the baby, but the school authorities will make proper adjustments, after thorough investigation, for the best interest of the child-mother and the infant," the school spokesman said.

The Family Counselling Service, and other welfare agencies may be called in on the case. To prevent stigmatizing the young mother every precaution is being taken in seeking a solution from the social welfare angle. The courts will deal with the other side, it was stated.

The girl came to Camden about seven years ago from Weyburn, N.C., her mother said. The father has been dead about five years and the family consists of a 12-year-old brother, 17-year-old aunt, mother, and maternal grandmother.

address listed for him. He could Little could be found out about Foreman in neighborhood of the not be located, and neighbors contacted claimed to know nothing about him. Mother of the 13-year-old girl said she believes he has moved from the Berkley St. address.

✓ 27h(1) 1952

North Carolina

8451

## Goldsboro Man Held For Rape Of Girl, Age 7

Special to Journal and Guide

GOLDSBORO, N. C.—A 34-year-old Goldsboro man, Kenneth Leggett, was being held this week on charges of raping a seven-year-old girl, whom he admitted to police picking up in his car as she was returning home from school.

The child, "Puddin'" Barnes, daughter of Mr. and Mrs. Milford Barnes, 913 Jester street, told police that Leggett carried her four miles into the country, where the alleged act took place. She took officers to the spot. Leggett then brought her back to town, she said, leaving her in front of R. E. Fields' Store, about three blocks from her home. The child's parents both work, and she spends much of her time with her grandmother, Mrs. Rena Bryant, who lives nearby at 414 Wayne avenue.

THE LITTLE girl, now back in school, was examined by a physician, but his findings have not been divulged. Leggett was scheduled to be given a preliminary hearing Tuesday.

Leggett admitted to Detective Archie Carter giving the child a ride, but said he let her out of his car a few blocks away.

An employee on the night shift at Atlas Plywood Company, Leggett is married and the father of one child.

8446

# Dodor's Wife

## Fingers Man

*After dinner*  
Says He Broke Into

Home, Tried Assault

P. 26

PHILADELPHIA

When Mrs. Lillian C. Walls, 1201 S. 46th St., received word from Detectives Regan and Goenpolt of the 5th Detective Division, 5th and Pine Sts., that they had caught the man accused of attempting to attack her, she said she breathed the first breath of relief in over a year.

The man, Gilford Lee, 27, 3108 Ogden St., was arrested in his home last Thursday afternoon.

Invaded Matron's Home

Mrs. Walls, wife of Dr. Lonnie Walls, had complained to police on Feb. 17, 1950, that the man came to her door, knocked her

as she stood there screaming he struck her then fled out the back door which he had broken to gain entrance.

He was charged with burglary, assault and battery and attempt to ravish.

**Girl, 8, Accuses  
Man Of Assault**

P. 26 PHILADELPHIA

A 33-year-old man was arrested Sunday, shortly after he had allegedly lured an eight-year-old girl into his home and assaulted her. The girl had been sent to a neighborhood store by her mother, to buy the Sunday newspaper.

James King, 27, 11th St. near Montgomery, was hauled from his home by one of his father to 19th and Oxford Sts. police station. The old man had identified him. He was naked on assault charges and turned over to morals authorities.

Called Child

The girl, whose name is withheld because of her age, told her mother, Mrs. Ella Bryant, of Morse St. near 19th St. King called her into his home as she was passing.

While inside the house, he continued, he choked her to prevent an outcry. Following the assault, the child stated, he gave her a quarter, and warned her not to tell what had happened. The girl said she threw the coin on the floor and fled.

**MRS. L. C. WALLS**

down and attempted to assault her. He fled out the back door when her screams for help attracted neighbors.

Magistrate James McEvitt held Lee without bail for court after Mrs. Walls identified him at a hearing at the 30th and Lancaster Sts. police station last Friday morning.

*Mrs. Walls' Story*

Mrs. Walls stated that she was

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South Carolina

Incluude

8447

## Dead Girl's Family Calms Angry Crowd

COLUMBIA, S.C.—Parents of a murdered 16-year-old school girl last week persuaded an angry crowd from "storming" the county jail where the accused killer was being held.

The dead girl, Vera R. Brown, was one of the students in the original Clarendon county equalization of school facilities suit. She was allegedly shot to death in a ~~rape attempt~~ by William Felder, about 28, last Feb. 17.

Mrs. Rebecca Brown, an aunt of the dead girl, said that she had to "talk fast" to dissuade "about 50 men" from storming the county jail and lynching Felder. Felder is alleged to have fired a bullet into the girl's stomach and another in her back as she turned to flee.

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Texas

8448

## Man Fined \$10 For Assault

HOUSTON—William Boudreaux, 29, 1708 Lockwood was arrested and fined against on a charge of assault with intent to rape. In Judge Ragan's court, Tuesday, June 3. He had attempted to rape a 15 year old girl, Monday, June 2, at 12:50 p.m. according to the police officers.

The girl's mother was contacted and said that she and her husband were out of town at the time and the girl was at home with her older sister. She told the Informer reporter that the child was in the kitchen when the man came to the house and asked where every one was. The child told him that her parents were out of town and that her sister was in her bedroom. The mother said that the man then went for some water.

She continued, however, to tell her that after the man drank the water he then grabbed her by the left arm and twisted it around her back and forced her to lie down on the floor and proceeded to try to attack her. The mother said that he had pulled the girl's clothes up and opened his pants but was prevented from completing the act as the older daughter heard the commotion in the kitchen and went to investigate. She said that the man got up to prevent the older daughter from using the phone by pushing her away from it.

The mother said that the child's arm was bruised where it had been twisted. Mrs. Rose of Crime Prevention had pictures made of the child's bruised arm.

## We Were Friends," Colquitt

HOUSTON — A double whammy of crime was reported yesterday afternoon. On October 2, after the girl's uncle had been shot trying to defend her from the alleged rapist, Mrs. Verdiell Broussard, 3212 Della, told officers that she was followed from her job at the Belvoir Theatre and attacked along the Liberty Road by

by Clemis Colquitt, 26, a married man of 1711 Bon Oak Courts whom the girl claims she knew only by sight. P.T.

The girl's uncle, Frank Broussard, 3212 Della, was shot by Colquitt in a tussle over Broussard's shot gun after Broussard went to the girl's rescue at Brewster and Liberty road.

According to the girl's story Colquitt visited the theatre and came behind the ~~counter~~ counter where she worked and stared feeling over her body. She said he followed her when she got off from work and at night the ~~same~~ bus. When she got off the bus, Colquitt grabbed her and carried her by the hair and feet over an eight foot embankment where he attempted to attack her as she struggled to ward him off.

She continued that a friend of hers passed and she called to him to get work to her father or her uncle. Broussard later appeared with the gun and in a struggle with Colquitt he lost the gun to Colquitt who allegedly shot him. Broussard is being treated in Jefferson Davis hospital for a bullet wound in the left side.

Colquitt who surrendered to officers later, told Informer reporters that he and the girl were friends. He said he had been going with the girl and had been seen on several occasions with her at various clubs and night spots. He denied that he tried to rape the girl.

Several witnesses who chose to withhold their names, told Informer reporters that they had seen the girl in Colquitt's company. Colquitt is married and has several children. He said he was going to "make a clean breast" of the affair to his wife when he got out of jail. He claims he can prove he has been keeping company with the girl.

Colquitt's wife talked to reporters Sunday. She said she did not believe her husband guilty of attempting to rape the girl.

## Seven-Year-Old Girl Criminally Assaulted

HOUSTON — A 7-year-old girl was criminally assaulted twice while she and her 12-year-old cousin were held for nearly six hours Saturday night and early Sunday morning, by an unconfirmed maniac who made them take a journey down a mile of wooded railroad track before the barbarous crime was committed.

The 12-year-old told police that he escaped ~~from~~ the unshaven maniac took the girl into the woods for the second time during the all too realistic nightmare.

Officers went to the scene soon after the 12-year-old boy escaped, but were unable to locate either girl or the attacker.

The little girl escaped about an hour later. She was brought to the police station by her parents, then she was taken to Jefferson Davis Hospital where Dr. Sonnier stated that she definitely had been molested.

This is the story as told by the boy. He and his cousin were going home and were walking on West street in the 1800 block when the man approached them from behind, drew a gun on them and forced them to walk to the track which they walked down toward Englewood shop.

The man then made them stop and forced the boy into a boxcar while he left with the little girl. When the man returned he made the boy strip off all of his clothes and searched them, taking pictures from the pockets. Then he took the girl away for the second time after which the boy took flight.

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The little girl told police that the man had assaulted her both times that she was separated from her cousin.

Police searched the neighborhood with the two children but no headway was made.

Investigation is still underway and local broadcasts have spread the description throughout Houston.

The description as given by the children is: Height 5 feet 11 inches or 6 feet, weight 160 pounds; complexion light brown

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Texas

8452

## 2 Teenage Girls Raped

HOUSTON — Two girls, both 16-year-olds, were raped and forced to commit sodomy by Leo Hodges, 19, and Leslie Bacon, also 19, Friday night in a residence on Orange street.

The girls reported that they were returning from a Halloween party at Finnegan's shortly after midnight when they were approached by the two known to one of the girls. She told them that she wanted to use the rest room, whereupon they all went to the house on Orange street. Hodges then let himself in a side window and for the rest of them in the front door.

The girls were then forced to commit the act. After a struggle they escaped from the house and stopped two men who returned to the house with them. However the assailants had gone. Police were then summoned.

Police arrested Hodges about 3 a.m. Saturday morning in the 7200 block of North Main. After questioning, Hodges admitted the intercourse and sodomy.

His companion, Bacon, has not been located by police. Charges were placed by one of the girls' mother, against the two boys.

## Woman Charges Man With Brutal Attack

AUSTIN — A middle-aged white woman, employed by the University of Texas, has accused a Negro as being her attacker at 11:15 p.m. Tuesday night in the 900 block of West 23rd street. She told police that as she was walking down the street a Negro man approached her, grabbed her and dragged her near a vacant house and made a brutal attack.

Police, answering the call, rushed the woman to Brackenridge hospital where she was reported to be hysterical. At noon Wednesday the police detailed to the case, Lt. Merle Wells, Knudsen, and Dipprey had no comment to make. They had no description of any body, not even a suspect.

More than a year ago, a white man ran a small Negro girl out of his home and up to the Drug Store on Rio Grande street absolutely nude. Upon examination the girl showed at the hospital that blood was found in her virginia. All evidence in the world was present that the man had actually raped the girl. Officers found her standing un-clad at the drug store. Later, with the statements of the man's doctors, a Travis County grand jury decided that the small 12-year old girl was suffering from illusions. This girl was raped and the white man went free with the aid of the girl's mother who permitted the police to carry the small girl to a Galveston Hospital and submit her to three days of examination.

A meeting is being called of the legal re-dress committee of the NAACP by Attorney Kenneth Johnson tonight to make an investigation and follow the development of this case to final conclusion. As many of our readers will remember in the small girl's case, we did re-submit to the grand jury detailed statements and evidence in the case, yet, it said, "No Rape" only illusions. This writer termed it as one of the darkest days in legal proceedings to ever happen in Travis County. At noon Wednesday, this reporter was unable to determine the white woman's name, either

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Virginia

8453

## Woman Bus Driver Will Not Prosecute Attacker

By CLARENCE H. HUNTER

PORPSMOUTH — While Portsmouth police investigated the second criminal attack involving teen-age girls in less than a month, the woman bus driver who was attacked on the 13th of December, 1951, refused to prosecute her alleged attacker after she identified him for the police.

The woman, a driver for Virginia Transit Company, was the first victim in a series of attacks which began shortly before Christmas. Police reported that she had finished her run which ended in Fairville at about 11:30 on the night of December 13.

After all passengers had left the bus, a colored man came from the rear and forced her at knife point to drive to a lonely street off the route and there assaulted her on the floor of the bus.

Since she refused to press charges after positively identifying her alleged attacker, the case has been closed.

LAST FRIDAY night, "Outrage" was the featured movie at the Carver Homes Theatre. It is the story of a girl who was raped while very young; how she subsequently lost her mind because of the attack and how she finally regained her former self after a minister helped her solve her personality problems which grew out of the criminal assault.

Not too far from the theatre, a 14-year-old white girl was allegedly undergoing the same humiliating experience. However, this incident took a different turn of events. The victim's father found the men on the scene with his daughter and beat one of them unconscious while the other fled.

Capt. L. C. Ellis, head of Portsmouth's Detective Bureau, said that the alleged assault took place in a vacant field off Sixth street between Henry and Randolph streets at about

8:45 p. m. He said that the girl and her mother were out for a walk when the girl had to return home for something she had forgotten. She took a shortcut through the vacant field where her mother waited for her.

When she didn't return, the mother went home to get her. When it was discovered that she had never reached the house, her mother and father became anxious and began searching for her.

Passing the field on Sixth street, the mother heard her daughter scream and ran toward her and discovered the attack. The father joined them and began fighting the two alleged assailants.

Police report that one of the men drew a knife in an attempt to free his companion who was being beaten. The father, however, ignored the weapon and knocked his companion unconscious. The armed man was also knocked to the ground, but later fled from the scene.

The father held the unconscious man until police arrived. After questioning, he implicated an accomplice.

Following arrests by the police, Herman L. Harrel, 21, of Gosport road and Howard Allen, Jr., 26, of Carver Homes, are being held under \$10,000 bond each for a hearing in Juvenile Court on Saturday morning on charges of criminal assault.

THE SECOND attack occurred December 28, 1951. The victim was a 14-year-old colored girl. The attackers—two colored men.

According to a report filed by detectives, the girl was attacked about 10 o'clock that night in a field near her home in the 100 block of Noble street.

The report says that the youth was on her way from church. Accompanied by her sister, she got on a Douglas Park bus at

Clifford and Evingham streets, the report says. The two men who attacked her were already on the bus and when she got off, they got off and followed her.

They allegedly dragged her about 120 feet from the road into the field where the attack took place. The victim said that each man held her sister while the other attacked her. No arrests have been made yet, but investigation is still underway.

## Girl Accuses Ago-American Worker, 47

Sat. 10-11-52  
Says Man Attacked

Her After Ride

P. 18 RICHMOND

A 47-year-old tobacco worker was arrested by police Monday on charges of criminally attacking a six-year-old girl.

Police identified the man as Matthew Jackson of the 100 block S. First st. The arraignment in juvenile court will be held Friday morning.

The circumstances of the alleged attack came to light after a week of questioning of the youngster by her mother.

The young attack victim said the man warned her what would happen if she told anybody, her mother said.

Detectives J. W. Vann and Frank Randolph, who are investigating the case, made the arrest.

The incident took place Sunday afternoon (Sept. 21), the youngster told her mother.

The man, together with his cousin, and a fellow tentatively identified as "Snowball," told the youngster and several of her playmates that he would take them for a nice ride, the girl said to her mother.

After riding around, Jackson allegedly got out of the car in his neighborhood and told her to come into his house, the girl told her mother.

The attack took place around 7:30 p.m., the mother said.

Hospital authorities examined the girl and found that she had been criminally attacked. They are conducting further medical examination.

8454

Girl, 7, Among Those Ravished by Man on Rampage

# Charge Whites With Rape Of Negro Women in Ala.

BESSEMER, Ala.—The wave of alleged rapes of Negro women by white men continued in this steel-making city and the arrest of a father of nine children was announced here Feb. 6. More Negro citizens than white live in Bessemer.

Bessemer Police Chief C. T. Mullen said that a 12-year-old Negro girl on Saturday, Feb. 2, accused a white man of raping her between 3 and 5 P. M. in an area near Bessemer proper. This gave Bessemer its third charge of ravishing and one molesting attempt within four months.

Saturday evening, according to investigators, the 12-year-old victim left her home, listed as 2225 Berkeley Avenue, South, with her two brothers, ages 14 and 8, and a sister, 9, to visit their aunt's home in the Sixth Avenue and Thirty-second Street area. They proceeded to near Thirty-second Street and Carolina Avenue.

#### AT GUN POINT

Bessemer police said, a white man later identified as Rupert Leeman of Adger, Ala., and father of nine children, was out of his pretense to be fixing his car.

As the children reached the vicinity of the car, the rape suspect forced the young victim and her brothers and sister into his car at gun point, police said.

He also threatened to kill them if they didn't keep quiet, police quoted the children as saying.

Officers said the suspect drove his car to the Highland, passed the McNeal (white) School into the wooded area behind the school where the alleged attack on the girl took place.

Police said they learned that the defendant stopped his car, forced the child out of the vehicle and forced his wishes upon her.

It was said that the 9-year-old sister pretended she had to get out of the car for "personal reasons" and obtained the license plate number and gave it to the 14-year-old brother.

#### THREE BILLS

The grand jury on Jan. 21 returned three true bills against James N. Guy, 32-year-old white defendant, who was indicted on two rape counts and one attempt to ravish charge. Chief Mul-

len said. 2-11-52  
During the month of December last year, Guy, whose address was listed as 922 Nineteenth Street, Bessemer, was arrested and charged with ravishing a 7-year-old girl, raping a 20-year-old mother of two children, and attempting to rape a 14-year-old girl, all three times at the point of a gun, Chief Mullen said.

The 7-year-old child victim required hospitalization for ten days, police said.

Officials said Guy will be tried on the charges in Criminal Court Feb. 11. Attorneys Hood and A. D. Starnes have been employed as special prosecutors for the state in the case.

#### Eight-Year Old Girl Sex Attack Victim

MOBILE, Ala.—An eight-year-old girl was in critical condition here last week after being allegedly raped and beaten by a 23-year-old white man. 2-11-52  
Calera

#### White Man Held In Mobile For Rape Of 8-Yr.-Old Girl

MOBILE, Ala.—A 23-year-old white resident of the Tanner-Williams community near Mobile and recently of Columbus, Ga., was charged Thursday with rape of an eight-year-old Negro girl near Theodore, Ala.

The man, employed in a Mobile industrial plant, was jailed shortly after Deputy Sheriff George Crawford found that the little girl was beaten on the head several times with a hammer.

She is in a critical condition at the city hospital in Mobile.

Police reports show that the alleged attack took place in the girl's home.

The man was arrested on a warrant sworn by her parents and jail-

men also robbed her of \$27 and her bus ticket.

Norwood said the men probably would not be arraigned until next week. He said the woman would not be physically able to appear before then.

Norwood said all of the men except Emmett Whitman work in this section. He said Jimmie Glass, Russell Whitman and Fred White are married.

#### Rape Is Charged To Autauga Man

PRATTVILLE, Ala., Oct. 21 (P)  
—A 31-year-old white man was arrested here today and charged with raping a 14-year-old Negro girl, Autauga County Sheriff George Grant said.

Grant said Aaron Oates, a county highway employee, was arrested this morning following the complaint of the girl.

The sheriff quoted the girl as saying Oates stopped her on the highway yesterday afternoon and offered her a ride home. She said

Shelby County Sheriff Norwood said the woman, 34, she lived near Oates' home, and blonde Birmingham widow, acknowledged him. 2-11-52  
Sheriff

She claimed Oates drove her into accompanying them by saying instead to a vacant house about eight miles away and raped her. Grant said.

Norwood said Deputy Sheriff W. P. Hill was driving home today, but results of his examination will not be known until tomorrow. Oates has made no comment on the charge, the sheriff said.

#### Rape Is Denied By Autauga Man

PRATTVILLE, Ala., Oct. 22 (AP)—A 31-year-old white man accused of raping a teen-age Negro girl was released on \$1,000 bond today after denying the charge against him.

Sheriff George Grant said Aaron Oates admitted having intercourse with the 14-year-old Negro, but denied that he forcibly attacked her. He was released on bond after a hearing before Judge H. E. Gipson in the Court of Common Pleas.

The sheriff also said a doctor examined the girl, Viola White, but found no conclusive evidence of rape. However, he said the physician didn't see her until 16 or 18 hours after the time she said she was attacked.

Grant quoted the Negro as saying Oates, a married man with

ed without hand. 2-11-52

A bloody hammer was found in the girl's home. The state medical examiner is examining the hammer and blood stains found on the bed in the home.

#### Five Men Held On Rape Charge

COLUMBIANA, Ala., Aug.

(P)—Five men were held on rape and robbery charges today after a deputy found a badly beaten naked woman struggling with a man on a country road.

Shelby County Sheriff Norwood said the woman, 34, she lived near Oates' home, and blonde Birmingham widow, acknowledged him. 2-11-52  
Sheriff

She claimed Oates drove her into accompanying them by saying instead to a vacant house about eight miles away and raped her. Grant said.

The sheriff said Hill arrested Glass at the scene, but four other men he found there jumped into a parked car and fled. They were captured later.

Norwood said the woman related this story to officers.

She stopped at Calera while traveling from Birmingham to Montgomery. Ed Glass, whom she knew, carried her to his home. Later the men said they had to take the soldier to catch a bus and offered to carry her.

The woman agreed, but instead the men drove into the country near Calera and raped her, she said.

"She has bruises all over her body," the sheriff declared.

The woman charged that the

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Alabama

8455

## 12-Year-Old Girl Bessemer's 3rd Rape Victim In 2 Months

By MARCEL HOPKIN

BESSEMER, Ala.—A white man reportedly a father of nine children was charged with allegedly raping a twelve-year-old girl here last Wednesday, thus giving this city its third ravishing and one attempt to ravish within two months. Bessemer Police Chief C. T. Mullen said this week.

Chief Mullen said the latest criminal attack occurred last Saturday morning between the hours of four and five a.m. in an area near Birmingham Avenue.

According to Mullen, the 12-year-old victim had been listed as 2225 Avenue South, with her

two brothers, ages 14 and 8, and a sister, nine, to visit their aunt's home in the Sixth Avenue and 22nd Street area. They proceeded up to about 2nd Street and Carolina Avenue.

Bessemer police said a white man later identified as James Lee Coleman of Adger, Ala., and father of nine children, was out of his car pretending to be fixing his car. As the children reached the vicinity of the car, the alleged rape-suspect forced the young victim and her brothers and sisters into his car at gun point, police said. He also threatened to kill them if they did not keep quiet, police quoted the children as saying.

After forcing the children in the car, police said they learned that he drove his automobile west down 2nd Street until he reached North Ninth Avenue and 22nd Street, then turned south down Ninth Avenue until he reached Ninth Avenue and North 22nd Street and turned right at the traffic light. From there, he headed toward the Brighton city limits and turned left as he neared the city limits; drove through 19th Street and Pipe Shop community.

Officers said the suspect drove his car to the Highlands, passed the McNeal (white) School on to the wooded area behind the school where the alleged attack on the girl took place.

Police said they learned that the defendant stopped his car, forced the child out of the vehicle and forced his wishes upon her.

It was said that the nine-year-old sister pretended she had to get out of the car for "personal reasons" and obtained the license plates.

number and gave it to the 14-year-old brother.

Immediately after the alleged criminal assault, police quoted the children as saying that the rape suspect drove away and left them stranded and to find their way back "the best way they could."

Coleman was formally charged with the offense and transferred to the County Jail Wednesday awaiting arraignment and indictment by the Grand Jury, Chief Mullen said.

Attorney David H. Hood, Jr. is special prosecutor in the case.

### THREE TRUE BILLS

The Grand Jury, on January 21, returned three true bills against James N. Guy, 32-year-old white defendant, who was indicted on two rape counts and one attempt to

ravish charge, Chief Mullen said.

During the month of December last year, Guy, whose address was listed as 922 19th Street, Bessemer, was arrested and charged with ravishing a seven-year-old girl, raping a 14-year-old girl, all three times at the point of a gun, Chief Mullen said. All three victims reportedly identified Guy as the man who attacked them, or tried to do it, he learned. Guy was arrested last January 1.

Hite was arrested in the Tanner-Williams Community about an hour after the attack and held without bond. Crawford said Hite refused to talk.

The accused man is a rendering plant employee who moved to Tanner-Williams recently from Columbus, Ga., the officer said.

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Alabama

8456

## GI Bound Over On Rape Charge

A rape charge against S-Sgt. George A. Hill, husky young Camp Rucker, Ala., soldier accused of attacking a 64-year-old woman here, was turned over yesterday to a grand jury.

Hill, who gave his home as Memphis, Tenn., waived preliminary hearing in city court and was bound over to the grand jury under \$3,000 bond.

Deputy Circuit Solicitor Bob Stewart said the charge will be investigated by the jury which meets next Monday.

Sgt. Hill is charged with raping a Pennsylvania woman who had come to Montgomery to visit a son stationed at Maxwell Air Force Base. Preliminary hearing for the Camp Rucker GI had been postponed several times because the woman was in a hospital here with a broken jaw and several facial injuries.

## Rape Charge Denied By GI

Eight Capital Cases  
Slated For Hearing  
Here Week Of March 4

A 21-year-old Camp Rucker, Ala., soldier, accused of attacking a 64-year-old woman here with a charge of raping a 64-year-old woman, was exonerated.

Sergeant Hill, whose name is given on county jail records as Stuttgart, Ark., was arraigned in circuit court. His trial was set for the week of March 4 along with other capital cases. Rape is punishable by death in Alabama.

The 21-year-old GI was indicted last week on a charge of raping a 21-year-old woman the night of Jan. 14 while she was in Montgomery to visit her son, an Air Force sergeant stationed here.

27h(2) 1952

California

8457

## White man sought for child assaults

APR 6 6 52  
**A white man about 30 years of age, who has the picture of a woman in a pink dress pasted on the dashboard of his automobile, was being sought by police this week after three lower Eastside youngsters were the victims of his horrid perversion.**

The children, who live in the area of 7th and Gladys, and whose names are withheld by the Tribune, reported the act to a neighbor, Enoch Brooks, of 837 Kohler, who called the police.

The youngsters, whose ages were not given, but who attend the neighboring grade school, were returning home from the store on Memorial Day in the early afternoon, they said, when the man drove up in front of 709 Gladys.

He pulled the little girl and one boy into the front seat beside him and misused both of them for some 10 minutes, the children said.

When he had gone, he gave the little girl 50 cents and told her to split it with the boy he had assaulted, and gave the third child, who had stood by, 20 cents "not to tell."

The children reported that the license plates on the automobile were Californian, but they had failed to get the number.

8458

# Housewife Reports She Was Attacked By Store Employee

*Early morned P.M. Sun - 21 - 52*

(Special To Atlanta Daily World)

A College Park, Georgia housewife reported to the Atlanta chapter of the NAACP Wednesday that she was threatened and assaulted by a white employee of a Five and Ten Cent store while attempting to make a purchase.

**NEGRO AREA**

The store is located on Edgewood Avenue just a few doors from the intersection of Butler St., in a Negro area consisting mainly of houses. The store is located less than one block from the Butler Street branch of the YMCA and less than one block from the Negro section of the Atlanta Public Schools.

Mrs. Hester Smith, 23, of Atlanta, Atlanta, Georgia,

College Park, Ga., told the Atlanta Daily World she and her cousin, Mrs. Hester Griffin, of 68 Bell St., Apt. 175, went into the store to purchase a pair of blue jeans.

Mrs. Smith related she approached a white clerk and inquired if he could handle jeans. After selecting a pair, Mrs. Smith said she decided to hold the jeans up to her body to determine if they were the correct size.

"I laid my handbag, umbrella and bag of cookies upon the counter," Mrs. Smith said.

One of the clerks then complained about customers laying their umbrellas on the counters, informing the umbrella might be damaged in handling merchandise. Mrs. Smith said she told the clerk, "I'm sorry," and attempted to remove the umbrella.

**THROWN TO FLOOR**

But the clerk, said Mrs. Smith, was swifter. The 23 year old housewife said the clerk dashed the umbrella to the floor with a sweep of his hand. Confused, but still desirous to buy the jeans, Mrs. Smith said she asked the price of the jeans and found she would need additional change. She told the woman she would get the money from her cousin, who was standing at the door of the store. Mrs. Smith said:

**CHARGED ASSAULT**

Mrs. Smith declared, the white clerk at this point without warning grabbed my bag of cookies and threw them to the floor. "I asked her not to throw my things down."

## Rape, Shooting Indictments P. 14 Name Farmer

Mrs. Smith said: But the clerk yelled at her saying, "You do bad things in my store. Get out! Get out!" Mrs. Smith related.

Mrs. Smith said the other clerk in the store offered to call the police but made no move to do so. Before she was able to walk out of the place, the clerk started beating her with her fist. Mrs. Smith said.

**WIFE OF VETERAN**  
Mrs. Smith said she is the wife of Capt. Frank Smith, 25, who is a member of the Air Force, stationed in Maine. She has two children, Harvey Lee Brown, age 4 and Linda Theresa, eight months.

Mrs. Smith stated she was planning to move to Commerce, Ga., but would remain in College Park for awhile.

**6 Ga. White Men Held For Attack On Young Woman**

A Woodstock farmer and sawmill worker, Truman Underwood, 28, Tuesday was indicted by the Cherokee County grand jury on counts of rape, assault with intent to murder and abandonment of minor children, according to Solicitor Jim Manning. *9-10-52*

The solicitor said Underwood was charged by the grand jury with criminal assault on a 20-year-old Negro girl and the shooting of her 23-year-old sister after they befriended him in rural Cherokee County.

Manning said a nationwide lookout has been called for Underwood and criminal warrants sworn.

Underwood, who, according to the solicitor, had abandoned his young wife and two children, went to the home of the two Negro women and asked for breakfast early June 23.

They gave it to him and he returned later with a revolver, forcing the women into the woods, criminally assaulting the younger sister, and later shooting the older one in the stomach and leg. Solicitor Manning said.

## Jail Six Men In Rape Of Widow In Georgia

COLUMBUS, Ga. — (AP)— Georgia officials of the NAACP and other organizations are following with interest the case of six Columbus white men jailed last week on charges of assaulting a 21-year-old widow.

Of six white soldiers accused of raping the mother in Georgia last year one was not even tried after Army officers said he had no part in the crime. Two were given light sentences as only accomplices and three got seven years imprisonment.

Report on the arrest of the men was made by Muscogee Police Chief J. Harvey Davidson. He identified the men as David S. Knowles, 18; Herman Hancock, 18; Garfield Buchanan, 29; James M. Henderson, 19; Roy Harris, 18, and Dan Wyndham, 28, all of Columbus.

Buchanan and Wyndham are also charged with impersonating an officer, Davidson said.

The chief said the men were arrested on complaints and warrants sworn to by the victim. He quoted her as saying the six came to her house early Sunday, Aug. 17 and told her they were police. They took her to an isolated field in the country and raped her.

27h(2) 1952

Germany

8459

# Helen Phillips Tells Of Insult On Train Says Drunken Soldier, Officer Entered Her Compartment

(Special To The AFRO)

FRANKFURT, Germany — The Soviet zone of Austria is talking about an incident which rivals an American film, "Strangers on a Train."

Helen Phillips, New York soprano, was the heroine. An unidentified Russian soldier, the villain.

#### Reported Incident

Miss Phillips, on a 30-concert tour of West Germany, reported the happening to High Commission officials here.

The soldier and a Russian officer, who apparently had been drinking, invaded her compartment on the train, making improper advances.

#### Wanted To Talk Politics

"He (the soldier) tried to get me talk politics with him," she said. "But I wouldn't and when he grabbed my glasses and tickled under the chin, I slapped him hard and hard. That stunned him." She said the soldier told her "he man is a Fascist and America is a Fascist."

#### Train Leaves Train

"I told him that I wouldn't discuss politics with him," she said.

Miss Phillips told Commission officials that the Soviet officer carried the soldier from her compartment and both left the train at the next station.

The soprano, sponsored by the U.S. High Commission's Speakers and Artists Bureau, lives at 111 W. 57 St., New York City.

Last year she made a tour of German cities without incident, and was widely applauded in each concert appearance.

Swung Wicked Right



Helen Phillips, New York soprano, who rebuffed a Russian soldier's "proposals" by slapping him hard and hard on the jaw.

## BUSHY HAIR ED RAPIST HUNTED ON NEW CLEWS

### Witness Describes Coal Yard Attacker

Capt. Thomas Kelly of Town Hall station yesterday assigned five detectives to search for a bushy-haired rapist who dragged a 42 year old mother of two children into a coal yard on the Milwaukee tracks north of Belmont av. Monday night and raped her twice.

Two suspects, both answering the general description of the man sought, were arrested yesterday, but the victim, in Edgewater hospital undergoing treatment for bruises and a badly injured right hand, was unable to identify either.

Police discovered a witness who saw the rapist in a hamburger stand near the scene of the crime a short time before.

#### Cop to Sketch Suspect

Capt. Kelly said he will have this witness and the victim describe the rapist. Detective Adolph Valanis of the crime laboratory, whose specialty is preparing sketches of wanted criminals from verbal descriptions.

The man sought is described as 5 feet 7 inches tall, stockily built, with dark, bushy hair. He was neatly dressed and was wearing a checked brown and cream colored jacket, with checks about half an inch square. Police were making a check of cleaning shops on the theory that the man's clothing must have become soiled in the coal yard. He fled with his victim's purse, containing \$54.

The small coin purse from the victim's larger purse was found yesterday in an alley north of Melrose st., near Lakewood av. It contained slightly more than \$4.

#### Hold Women's Captive

William Gonzales, 21, of 635 W. 61st pl., a truck driver, was held

to the grand jury yesterday by Judge Matthew D. Hartigan in Felony court on charges of attempted rape and assault with a deadly weapon. His bond was fixed at \$5,000.

Gonzales was captured Monday night after having been outwitted by his intended victim, Mrs. Helen Cassell, 30, of 227 Englewood av., wife of a tavern owner. Mrs. Cassell lured Gonzales to the home of a neighbor, where the two women overcame him by hitting him on the head with a hammer.

Gonzales had threatened Mrs. Cassell with a knife, and had attempted to drag her into an alley near 63d st. and Princeton av.

## VOTE TO INDICT 3 PARTY CRASHERS IN RAPE OF GIRL

True bills were reported voted yesterday by the Cook county grand jury against three teenagers accused of invading a private party in Oak Park and raping a 15 year old girl.

The bills reportedly named Lester Bidwill, 17, of 1166 S. Lombard av., Oak Park; his brother, James, 18, and Charles Reno, 18, 1213 S. Austin blvd., Cicero, on two counts each of rape and statutory rape. The jury allegedly recommended that they be held by Oak Park police in \$10,000 bonds.

The same trio was arrested Nov. 13 in a case involving several men in sex orgies with a 16 year old baby sitter. However, two of the young men were released upon payment of \$50 fines on disorderly conduct charges when parents of the girl refused to prosecute. Lester Bidwill was placed on probation by Family court.

#### Forced to Leave Party

Lt. Fremont Nester of Oak Park police, arresting officer, gave this account of the new case: The three men "crashed" a teen-age party on the south side of the suburb which the victim was attending Friday night. They ordered the girl outside. She complied and talked with James Bidwill in the rear seat of the car. When the other

men entered the car, she asked to leave, but they forced her to remain. Part I P. 10

They took her on a long ride thru western suburbs during which both Bidwills as well as Reno raped her. They drove her home at 1:30 a. m. Saturday and told her she would be killed if she told anyone about the assault. However, the girl telephoned the friend in whose home the party was held. The friend notified the victim's mother. The men were arrested and admitted having relations with the girl, but denied she resisted. The girl said she was too frightened not to comply.

#### "Given Every Chance"

Police Chief Charles Cortino of Forest Park where the three men originally were held in connection with the baby sitter case, pointed out that the three "were given every chance to rehabilitate themselves and should be prosecuted to the limit for the embarrassment they have caused us."

In the first case, Reno originally was accused of a sex crime and the others with contributing to the delinquency of a minor. When the girl's family refused to prosecute, Forest Park police signed disorderly conduct complaints against the two older men.

Thefts and vandalism also were said to have occurred in the baby sitter's home and in another home where she worked. The sex parties were held over a period of months.

## YOUNG RAPIST ATTACKS WOMAN IN STOLEN TRUCK

A teenage rapist yesterday attacked and robbed a housewife, 36, after forcing her to enter a laundry truck he had stolen shortly before. Later he set fire to the truck, which was destroyed by the flames.

Police said the rapist, a Negro, parked the truck in an alley behind 6002 S. Loomis st. The victim said he called to her as she walked past the alley along

50th st. When she halted, the rapist threatened her with a jack handle from the truck, an iron bar 18 inches long and half an inch in diameter, and announced: "This is a robbery. Don't holler or I'll kill you."

#### Threatened to Kill Her

The woman said he ordered her to enter the truck and disclosed with the warning, "If you scream I'll kill you." After the rape he took her purse containing \$3 and some change, ordered her out of the truck, and again warned her not to make an outcry.

As the rapist drove down the alley in the truck, the woman ran half a block to Bishop st. where she hailed a motorist. The motorist took her to a nearby grocery from which police were summoned. Police took her to St. Bernard's hospital, where she was treated for shock.

The truck was owned by the South Shore laundry, 7379 South Chicago av. The driver, Patrick Boland, 9905 Exchange av., had parked the truck with key in the ignition near 6036 Peoria st. while he made a delivery. The rapist apparently drove the truck directly to the scene of the attack, three-fourths of a mile away.

#### Truck Found Burning

The truck was found burning behind 6043 S. May st. shortly after the attack. Police said the rapist apparently tossed a match into laundry which the truck carried. The company declined to estimate its loss.

The victim described the rapist as 17 or 18, 130 to 140 pounds, 5 feet 5 inches tall, with medium brown skin. She said he wore a white T-shirt and overall trousers. The jack handle used to threaten her was found beside the truck.

Police were seeking persons who saw the rapist in the vicinity of the truck theft, the attack, and the place where the burning truck was found. Several squads were assigned to the case.

## WOMAN SEIZED AND ASSAULTED BY TWO RAPISTS

Chicago area authorities were asked yesterday to join the search for two men who kidnapped, raped, and robbed a 19 year old south side teletype operator as she was returning home from work late Sunday.

The victim told Chicago Lawn police that as she approached her home on foot, a man got out of a green colored 1949 or 1950 Mercury sedan across the street and pretended to look at house numbers. He asked the name of the street, she said, and when she answered, clapped his hand over her mouth, choked her, and dragged her into the auto driven by a second man. The car was then driven some distance from the scene.

#### Forced to Undress

Her captor compelled her to undress in the back seat, and held a coat over her head as he attacked her, but heeded her plea to loosen the coat so she could breathe, the girl said. Then the second man raped her, she related.

Frightened by a passing car, the men gruffly ordered their victim to dress, she said. Impatient at her slowness, they rolled her clothing into a bundle, pushed her from their moving car, and tossed the clothing after her.

Before abandoning her, the men robbed her of \$30 and her wrist-watch set with four diamonds, she reported, but left her 25 cents for carfare. She was dumped from the car in the 6400 block in Sacramento av., nearly two miles from her home.

#### Treated at Hospital

She aroused a householder who telephone the police. She was taken to the Southtown hospital where it was established that she had been raped, and where she was treated for cinder burns received when she was pushed from the attackers' car.

The victim described one of her attackers as about 19 years old, the other about 20, but was unable to give accurate descriptions of either.



✓ 27h(2) 1952

Illinois

8461

# WOMAN POINTS

## TO PRISONER, 17,

### AS TRUCK RAPIST

4-14-52  
Views Showup, Identifies

#### Admitted Thief

James Reynolds, 17, Negro, of 242 Calumet av., a coal peddler, was identified yesterday by a 36 year old housewife as the man who raped her April 1 in a stolen laundry truck in an alley behind 6002 S. Loomis st.

The victim picked Reynolds out of four prisoners in a showup in the Prairie av. police station. Reynolds was arrested Saturday at 30th st. and South Park av. by Detectives Fred Coffey and Lester Davidson, while carrying four hub caps which he admitted stealing from automobiles.

The victim told police the rapist had called to her as she walked past the alley along 60th st. When he halted, he threatened her with a jack handle from the truck and announced: "This is a robbery. Don't holler or I'll kill you."

#### Orders Her Into Truck

The woman said he ordered her to enter the truck and disrobe, warning her, "If you scream, I'll kill you." After the rape, he took her purse, containing \$3 and some change, ordered her out of the truck, and again warned her not to make an outcry.

As the rapist drove down the alley in the truck, the woman ran half a block to Bishop st. and hailed a motorist, who called police. The truck, stolen from 6036 Peoria st., was found burning behind 6043 S. May st. shortly after the attack. A jack handle like the one used to threaten the woman was found beside it.

Five of six men who have admitted the rape Wednesday night of a 26 year old housewife were booked yesterday on charges of rape and robbery. They are to appear today in Boys court. The woman was raped in an automobile in a garbage dump at 103d

st. and Doty av. After being robbed and held captive for four hours, she was pushed from the automobile at 99th and Green sts.

#### Seek Custody of Sixth

The five are James J. Good, 17, of 7154 Ingleside av.; Arnold Krueger, 18, of 10628 Torrence av.; Rudolph Fekete, 19, of 10670 Oglesby av.; Dennis McFarland, 17, of 10706 Yates av., and Salvatore Di Giacomo, 20, of 9323 Harper av.

Robert Cooney, assistant state's attorney, said he would confer today with Edwin T. Breen, first assistant state's attorney, and Judge Jerome Dunne of Family court in an effort to get jurisdiction over the sixth man, John Boy, 16, of 13028 Muskegon av., now in custody of Juvenile authorities.

"The brutality of these men toward a defenseless woman calls for swift punishment of all the culprits," Cooney said.

#### Another Is Identified

In another identification in the Prairie av. station, a 19 year old Negro housewife picked Peter Ridgell, 27, Negro, of 3106 Wentworth av., as one of two men who raped her Saturday morning in an alley at 54 E. 31st st. On Saturday, she had identified Louis Smith, 29, Negro, of 615 E. 36th st., as the other.

The woman was in the station making her complaint to police when Smith walked in the door to inquire about two friends who were arrested during a fight. When the woman saw Smith she screamed, "That's him."

white

2  
27h(1) 1952

Illinois

8464

## Knife-Wielding Rapist Sought By Chicago Police

Chicago, Dec. 3 (UPI)—A knife-wielding youth, whom police termed a sex maniac, was hunted today after an 11-year-old girl was disrobed and raped in the snow near her South Side home last night.

It was the second such attack in two days and the fourth in two months in the city's South Shore district.

Police said last night's victim, the daughter of a physician, was pulled from her bicycle by a youth as she rode from her home to a grocery. He threatened her with a butcher knife wrapped in a comic book, then forced her into a basement window alcove and made her disrobe.

The girl, a sixth-grade pupil at a private Chicago school, was cut on the right hand in a struggle with the assailant, who then forced her to go into a snow-covered vacant lot, where he raped her.

8465

# RAPIST ADMITS SEVEN ATTACKS ON SOUTH SIDE

*Judgment*  
Seized After Battling  
*Mrs. 9-18-52*  
with Woman  
*27th*

Walter Brown, 26, of 4807 Dorchester av., a confessed rapist, arrested early yesterday, admitted that he had either raped or attempted to attack seven women, six of them Negroes, within the last few weeks.

Brown, a Negro, whose description tallies with that of a rapist who attacked several women in recent months after accosting them in waiting rooms or on platforms of the Illinois Central railroad, denied that any of these were among his victims. *Qsl.*

*Plan Lie Test*

Police said the willingness with which he confessed his crimes leads them to believe he may be involved in others—some possibly more serious. They are planning to give him a lie detector test today. Sgt. John Shine said three women who were attacked in recent months while waiting for I. C. trains were unable to identify him.

The prisoner was identified by two women. One was Mrs. Elizabeth Kern, 28, a divorcee, of 4655 Lake Park av., whom he attempted to drag into a gangway near her home after asking street directions shortly before his arrest.

The other said Brown accosted her early on the morning of June 8 in the vestibule of her home and dragged her into a rear yard and raped her.

#### Many Not Reported

Lt. Terence Ryan, who arrested Brown in his home after neighbors reported they saw him run from his automobile carrying a bundle under his arm, said that many of the prisoner's confessed crimes have never been reported to police. Most of his rapes occurred in the Wabash av. district, Ryan said.

Police said they were trying to find Mrs. Joan Untermeyer, 30, wife of an atomic scientist who was kidnapped from her home at

5321 University av., by a Negro who threatened to rape her and robbed her of jewelry valued at \$7,000. They said Brown, who is soft spoken and mannerly, answered the description of the man who terrorized her.

Brown told police he is a navy veteran and a former boxer and that he served a sentence for robbery in Rochester, N. Y.

## South Siders Give Cops 500 Tips on Rapist

Residents of the South Shore district deluged police yesterday with possible clews to the identity of the knife-wielding attacker who raped an 11 year old girl Tuesday night and assaulted three women on previous nights.

Capt. Patrick Groark of Grand Crossing district and Capt. William Ryan of Woodlawn said the cooperation shown by persons living in the area will help lead to the quick apprehension of the attacker.

More than 500 telephone calls were received by police and 200 of them contained worthwhile leads, police said. They welcomed the flood of telephone calls and personal visits to the stations with information. *Qsl.*

#### Release 25 Suspects

More than 25 suspects were questioned and their activities checked, but all were released when they were absolved of any possible connection with the crimes.

Supervising Capt. Robert Ryan coordinated the efforts of more than 100 policemen assigned to patrol the area between 67th and 79th sts. from Woodlawn av. to the lake, where the slasher has operated.

Police officials appealed to parents, if they suspect a son, to get in touch with them in the hope of stopping the attacks before even more vicious crimes are committed.

#### One Victim in Hospital

One of the victims, Miss Cath-

erine Howard, 24, of 7321 South Shore dr., who was slashed on the abdomen Monday night when she fought off the man as he tried to drag her into an alleyway, remained under an oxygen tent yesterday in Jackson Park hospital. Her condition was serious, but physicians said they expect her to recover.

A study of yearbooks of high schools is being made in search of a photograph the victims might identify. The man has been described as in his late teens, 5 feet 11 inches tall, weighing 140 pounds, and having a long thin face and brown curly hair.

## S. Side Knifer Cuts Woman; Girl Is Raped

### \$1,000 Reward

THE CHICAGO TRIBUNE will pay \$1,000 reward for information furnished to THE TRIBUNE leading to the arrest and conviction of the man who slashed and raped an 11 year old girl on the south side Dec. 2. This information will be given to the proper authorities. If more than one person supplies such information, the \$1,000 will be apportioned among them by THE TRIBUNE according to the relative value of the information furnished by each. THE TRIBUNE will be the sole arbiter of the apportionment.

The South Shore slasher struck again early yesterday after another rapist had attacked a 13 year old girl on the west side. Police said there was little possibility that the South Shore assailant had shifted his activities to the west side, but they checked clews carefully for a possible connection.

The victim in the west side attack was on her way home after attending a dancing class in Altgeld park fieldhouse, 2600 Congress st., when the rapist stopped

her near Francisco av. and Congress st. The man brandished a red handled knife and forced her to accompany him to a railroad embankment, where he compelled her to disrobe and raped her.

#### Wives With Clothing

The rapist fled with most of the girl's clothing, leaving only her coat and part of her underclothing. The victim was treated in County hospital. Her injuries included scratches and bruises on her throat, forehead, and cheek.

Her description of the rapist varied in several details from that of the South Shore slasher, who has raped an 11 year old girl and assaulted three women.

The South Shore slasher took a smashing blow on the head from a pop bottle early yesterday when he accosted Mrs. Mable Hallett, 54, of 6554 Kimbark av., in a parking lot near her home.

#### Hits Him with Bottle

Mrs. Hallett, an auctioneer, was returning from Crete, Will county, between 2 and 2:30 a. m. Her accoster said: "I've got you now. Don't scream." Mrs. Hallett said she replied, "That's what you think," then struck him on the head with the pop bottle.

The man slashed her face with a knife, inflicting a cut 1½ inches long, then fled. Mrs. Hallett told police she regularly carries a pop bottle for defense because she was robbed once and on another occasion her purse was snatched.

Because of the darkness, she was unable to give an accurate description of her assailant.

Police seized Ray Croft, 18, of 6550 Lafayette av., while he was visiting the Science museum because his description fitted that of the slasher. In his pockets, police said, they found a wallet, containing \$10, which was stolen at 4 a. m. yesterday in a burglary of the home of Mrs. Rita Glennan, 7624 Emerald av. He confessed he was the burglar, police said.

#### Augment Police Forces

More than 100 policemen are augmenting the regular staffs of the Grand Crossing and Woodlawn districts in their search for the rapist-slasher.

Yesterday Commissioner O'Connor sent 25 detectives to help track

down the rapist who struck in the Warren av. district.

The large concentration of policemen cut crime in the south side districts. The last crime reported in the Grand Crossing district was a bicycle theft at 12:30 p. m. Wednesday.

A charge of disorderly conduct was placed against James Rankin, 23, of the Parkland hotel, 1550 E. 63d st., who was questioned and cleared in the south side attacks. He was freed on \$10 bond pending hearing in Grand Crossing court tomorrow.

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Kentucky

8466

✓  
**Recaptured Man  
Pleads Guilty  
To Raping Girl, 12**

Covington, Ky., Nov. 1. (UPI)—Eugene "Monte" Cuneo, 24, Burlington, Ky., who was captured yesterday after escaping from jail less than 24 hours earlier, pleaded guilty today to rape.

Circuit Judge Joseph Goodenough said he will recall the jury Friday morning to determine the punishment, as provided by Kentucky law. Cuneo could be sentenced to death or given life imprisonment.

Cuneo pleaded guilty to raping a 12-year-old child.

Cuneo said hunger caused him to be caught after he escaped with Charles M. Walton, 34, Winchester, and William A. Hatley, 23, Richardson Pike. He was captured on a farm.

Walton and Hatley are charged with grand larceny.

**Woman Reports Rape,  
Robbery by 5 Men**

A 44-year-old woman told police yesterday five men she met in a cafe at 26th and Portland at 11 p.m. Saturday drove her off into the country and raped her.

She said they also stole her \$350 diamond ring and her purse containing \$5 before letting her out of their car at Frankfort and Mellwood.

✓  
**3 Williamstown  
Youths Arrested  
On Rape Charges**

Almond, Ky., Oct. 6 (UPI)—Three Williamstown young men were held in jail here today on charges of rape.

They were registered as James McMillan, John W. Hunner, and Roy J. Shirkley, all between 18 and 21 years old.

They are accused of raping a Williamstown woman early yesterday near Knoxville, in Pendleton County.

Deputy Sheriff Homer Armittar arrested the men after the woman signed warrants.

Authorities said the trio was with the woman and her husband in a tavern at Bracht, in Boone County, and apparently were driving them home when a fight started. The fight was between the husband and one of the youths, according to the officials, who added that the husband was thrown from the car and the alleged attacks on his wife followed.

27h(2) 1952

Louisiana

8467

Probe Rape  
Attempt  
La. Hospital

P. 9 27h(2)  
NEW ORLEANS — The New Orleans branch of the NAACP waited the answer from District Attorney Steven T. Darden last week to a query on the reported attempted rape of a 32-year old mother while a patient at Charity Hospital.

The woman reported she had left the hospital on April 11 because she feared for her safety if she remained.

The superintendent of the hospital said "there is nothing to the story." It was disclosed, however, that a physician has been arrested and taken into custody.

The patient who made the charges, stated that her treatment required being taken to a darkened room. She said that the attack upon her occurred after two student doctors left her alone in a dark room with a physician.

Daily papers carried articles about a meeting of authorities in which the affair was discussed.

27h(2) 1952

Kentucky

8468

# Immoral Act With Girl, 15, Is Charged

Indictment Names  
Father of Seven  
In Letcher County

Lexington, Ky., Jan. 15.—A father of seven children, accused of holding a 15-year-old girl captive in a Whitesburg hotel room, has been indicted by the Letcher County grand jury.

Bill Triplett, 32, is charged with carnally knowing a female under 18 years of age.

Also implicated in the case were the hotel owner, J. S. Bates; about 15-year-old Ray Biggerstaff, about 20, charged with contributing to the delinquency of a minor. Triplett is accused of forcing a younger girl to go to a room in the Southern Hotel with him last October. Sheriff Hassell Stamper stated the girl as saying Triplett threatened to pitch her out the window if she tried to escape.

## Girl Found During Raid

The youngster was found when County officers searched the hotel during a liquor raid. Triplett surrendered a few days later, claiming he was innocent.

Stamper said hotel employees must have known the girl was in the room, because food was taken to her room from the hotel kitchen during her three-day stay here.

Murder indictments against three Letcher County men were returned for a second time by the new grand jury today. The original indictments had been thrown out because five of the grand jurors that returned them did not own property. Quashing of the indictment against Carl Swanager got the former Tennessee man a new trial. Swanager had been convicted in the slaying of Harold Dyke of nearby Sawdust Junction and sentenced to life in prison.

## Self-Defense Claimed

Swanager claimed he killed Dyke in self-defense. Stamper said there had been bad blood between the two for a long time. Also indicted again were Carl Swan and Bradley Breeding, both 30. The two men, who live

on Collie Creek about 12 miles from Whitesburg, are charged with killing Constable Jim Combs.

Stamper said the two men fired guns near Combs' home on the night of September 18. The constable ran from his house to see what was going on, suffered a heart attack, and died, the sheriff said.

Last night's reported attack on a girl was the second here within three days. Ernest May, 19, was held to the grand jury yesterday on a charge by a 17-year-old girl that he raped her last Saturday night. May denied that it was rape.

# Frankfort Girl Reports Rape And Kidnap

Says 2 Attacked Her Near Lawrenceburg

Frankfort, Ky., Sept. 16 (AP)—The reported kidnaping and rape of a 19-year-old girl set Kentucky police on a state-wide search today. *้น้ำ*

The girl said she was forced into a car and driven to Lawrenceburg and later raped by two men near there, police said. She said she had worked late last night on the books of a Frankfort store and was crossing the Kentucky River bridge near Belle Point. Two men forced her into a car containing three other men.

## Woman Heard Screaming

City police said the girl's account appeared to be verified by the fact that about 9 o'clock last night, residents near the bridge phoned them that a woman was screaming on the bridge.

City police searched under the structure and along the river banks, but the car had gone.

The girl's account, as given out by State police, was that upon arriving with her in Lawrenceburg, 13 miles south of Frankfort, the men drove around and then inquired the way to Louisville.

She misdirected them back toward Frankfort. Then she was raped and left on the roadside. She telephoned her parents from a farmhouse, and was taken to a hospital here. *Q-17-52*

## 2 Had Patches on Faces

The men were described as about 20 years old, with two of them having tape patches on their faces. They told the girl the tape covered cuts suffered in a wreck. The car was described as a dark-colored 1949 Dodge.

27h(2) 1952

MARYLAND

8584

Youth, 19, Charged  
With Assault on Girl, 9

Stanley Warren Roberts, 19,  
of Sandy Spring, Md., yesterday  
was charged with criminal as-  
sault on a 9-year-old girl  
in that community, Montgomery  
County police reported.

Roberts, a student at Sherwood  
High School, Sandy Spring, is  
being held without bond in the  
Rockville jail. His hearing has  
been set for November 18 in  
Silver Spring Justice Court.

✓ 27h(2) 1952

# charged In Attack On 16-Yr.-Old Girl *After American P. 14* In Wooded Area

*P. 14  
Aug 27 1952  
Married Fort Meade Soldier  
Also Accused Of Accosting  
3 Of Victim's Neighbors*

**BALTIMORE** Charged with using the lure of a baby sitter's job to ravish a young girl, a white soldier was held for action of the grand jury in Ferndale Police Court, Wednesday morning.

The 16-year-old attack victim accused Pvt. John C. Allen, Fort Meade soldier, of twice forcing her to submit to him on July 15.

Earlier that day, the soldier had driven to the girl's house and asked her parents where he could find a baby sitter. When he saw the attack victim, he offered her parents \$2 an hour if she would baby-sit for him.

To instill confidence, the man named several residents of the community as his friends.

#### Cites Death Penalty

As he listened to the girl's story, Magistrate Louis DeAlba twice asked whether she was sure of the soldier's identity.

"This is a very serious charge, and the death penalty is involved," the magistrate stated.

Each time, however, the Bates High School pupil said Allen was the man who attacked her.

On the same day of the attack, Allen was identified as the soldier who accosted at least three other attractive women in the community.

He also offered them baby-sitting jobs, for sums of money ranging from \$2 an hour to \$25 a week.

#### Another Girl Assailed

One of those victims, Ruby Siggers, 16-year-old June graduate of Bates High School, charges she was lured from her home by Al-

len that's big."

#### Maryland

Quickly reversing the patrol car, Captain Wade stopped the soldier, later identified as Allen, and asked him whether he recognized the girl.

When the man admitted taking the girl out, the police placed him under arrest.

#### Residents At Trial

At the hearing, Wednesday, spectators began filing into the tiny courtroom almost an hour before the 10 o'clock hearing.

Although the seating arrangements aren't segregated, the many white and colored spectators sat on different sides of the room.

As the soldier, dressed in civilian clothes — floral shirt and brown pants — was led into the courtroom by Captain Wade, the spectators excitedly whispered to each other.

As he stood at the rail in front of the magistrate, Allen — balding, bespectacled, and bewildered — twitched nervously.

The girl, quiet, and very small for her age, gave her testimony in a weak, quavering voice. Several times Magistrate DeAlba had Allen for the grand jury. When the man's lawyers asked for bail, the magistrate refused, saying he had no authority to set bail in such a serious case.

After the man left her house, he rode her around for quite a distance, the girl said, and finally went up a side road and parked in a spot hidden from the main road.

The young pupil said she resisted his first advances, but Allen forcibly continued to molest her.

Finally, he forced her from the front seat of the car onto the rear seat. There, she charged, the first attack occurred.

After the attack, the soldier went back to the front seat and fell asleep, the girl said.

#### Cringed On Rear Seat

While the man was sleeping, the girl cringed on the back seat. She declared she was frightened, lost, near Sevren, with his wife and two children.

When notified of the attack, went to the rear seat again and resumed his advances. When she resisted, Allen "beat me for about five minutes," the young high school pupil charged.

After beating the girl, the man reportedly attacked her again.

#### Girl Cites Fear

When the frail, 100-pound girl reached this portion of her testimony, Magistrate DeAlba incredulously asked:

"Why didn't you leave when he was asleep?"

The timorous answered:

"I was afraid."

"Fantastic!" declared the magistrate.

Allen is a six-footer, weighing at least 200 pounds.

Paul Yeager, attorney for Allen, then interjected: "You thought it was good to have a white boy, didn't you?"

Using the loudest tone she employed throughout the hearing, the tiny victim said: "No Sir!"

#### Spectators Insulted

At the lawyer's question, a swelling murmur came from the colored spectators and the court bailiff had to admonish them against the outburst.

Although subjected to persistent questioning by the attorney, the girl stuck to her story that Allen forced intimacies with her.

On advice of his attorney, the soldier did not testify.

On the basis of the attack victim's testimony, Magistrate DeAlba held Allen for the grand jury. When the man's lawyers asked for bail, the magistrate refused, saying he had no authority to set bail in such a serious case.

The community where the criminal attack occurred is just a few miles from Freetown, the home of Thomas Edwards who was convicted of killing a white couple in 1948.

Although originally sentenced to hang, Edwards' death sentence was commuted to life imprisonment by Governor McKeldin.

#### Accused by Girl

## Principal Under Fire

UPPER MARLBORO, Md. — Milton J. Mack, 29, principal of the Laurel Elementary School,

was ordered held for trial by Prince George County grand jury on the charge of a 12-year-old girl. Judge John S. Hinman Crane ordered this action after a closed hearing in Upper Marlboro Police Court.

Mack was additionally fined \$50 each on two assault charges involving the girl and two other girls, aged 12 and 14.

• • •

PRINCIPAL MACK, who has stoutly maintained his innocence, was arrested on June 20, and immediately suspended from his

## 8473 Principals In Attack Case



Parents of 16-year-old Ruby Siggers listen attentively as their daughter describes her escape from a Fort Meade soldier. The girl, a Bates High School June graduate, reports she jumped from the soldier's car and thereby escaped. She is jubilant over the man's capture, but her parents and Mrs. Julia Jones, at right, whose daughter was criminally attacked, were shocked at the man's boldness.

teaching post. 716 (2)

Mack, who is without funds or legal counsel, claims he is victim of libelous lies and malicious stories. He has brought counter charges against the first girl, accusing her of being a juvenile delinquent . . . and against the child's mother for contributing and permitting the known delinquency of her child.

8473

✓ 27h(2) 1952

Massachusetts

8470

# Gourdin Holds 2 Biased GIs

## Convicts 'Rebel' Pair On Assault Charge

BOSTON (ANP)—A white Southerner's prejudice echoed in the actions of his equally biased Northern buddy, brought two AWOL Sampson Air Base (New York) Air Force enlisted men into Roxbury District Court last week.

Judge Edward O. Gourdin, wartime commander of the 372nd Infantry Regiment, heard the charges against the unruly pair which were assault on a colored man, and criminal attack of a 13-year-old colored girl.

Dennis Kennedy, 17, of Jamaica Plain and James L. Burns, 19, of Richmond, Va., were both found guilty of assault on Walter Boykin, 42, of Dale St., Roxbury, whom they punched without provocation on Jan. 27.

The pair is also accused of attacking the girl in Roxbury, as she walked along a street. Kennedy is charged specifically with rape, and Burns with attempted

rape. Both attacks, according to sworn testimony, were preceded by Burns's shout of "I'm a Rebel and I hate n—s."

When the victim of the alleged brutal attack appeared before Judge Gourdin, she testified that Kennedy had threatened to "stick a knife" into her if she made an outcry.

### Dungarees Ripped Off

She then emotionally told how the white soldiers forced her into a vacant lot and ripped off her dungarees. Kennedy, she stated, criminally assaulted her and Burns made an attempt.

The two soldiers were later arrested by Dots. James A. McCarren and Joseph Houston and identified by Boykin and the girl in the police lineup.

Last week, Judge Thomas Spring, 41, of the Roxbury District Court, found probable cause in the case of both of the AWOL soldiers and ordered them held in \$10,000 bail each for the grand jury which meets in March.

## Girl Attackers Get 9-Month Sentences

BOSTON, Mass. — (ANP) — Two white A. W. O. L. servicemen who pleaded guilty to assault with intent to rape a 19-year-old Boston girl were sentenced this week by Judge Frank E. Smith in Superior Court to nine months each in the House of Correction.

Dennis Kennedy, 17, of Boston and James L. Burns, 19, of Richmond, Va., who allegedly had shouted:

"I'm a rebel and I hate niggers" before committing the crime, had been found guilty in the Roxbury District Court on Jan. 31 when they were remanded under \$10,000 bond each by Judge Edward O. Gourdin for a grand jury trial.

At the time of the alleged attack, Kennedy and Burns were AWOL from the Sampson Air Base, Sampson, N.Y.

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Michigan

8477

**Arrest White Man  
For Assaulting Girl**

DETROIT (AP) - A 20-year-old white man last week was charged with assault and battery on the complaint of a nine year-old colored girl, in a warrant signed by Recorder's Judge Geral W. Groat. P. 5 27-12

Michael Wiejecha was accused of assaulting the child, May 16. The girl told police that Wiejecha first asked her 10-year-old brother to help him fix a boat in his garage. She said when her brother phoned their aunt for permission she told him no, and to remain in the yard of their home until her mother returned from a shopping tour.

The girl said Michael then asked her to help him with the boat and offered to pay her \$3.50. She said when she refused he grabbed her wrist over the alley fence and pulled her toward the alley gate leading to the garage.

The girl said she screamed for

✓  
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Mississippi

8474





27h(2) 1952

Missouri

8469

## NAACP Pres.

# Urge Full Scale Probe

By HOWARD B. WOODS

The hearing in the case of the white police officers now under suspension on charges of criminally attacking two women on the riverfront last July 15 will be held next Tuesday, Dec. 2, the St. Louis Argus was told this week. The hearing was scheduled through the office of Col. Otto Selle, Inspector of Police. After the Argus located one of the victims of the assault and made her address available to the Police Department. 11-26

The hearing had been held up because of the inability of the department to locate the woman.

Reached at an address in Chicago last Friday, the woman told the Argus by long distance telephone that she had been ill since she was in St. Louis the last time because of the "harassment" she had received in connection with the case.

### PERFECTLY WILLING

The woman, who has since moved her residence from this city, was "perfectly willing" to come here for a Police Board hearing on the case. She did not sign her statement in her statement.

The other victim, who is married with a small son, has reported visits at her home by the police department at 2:30 and 3:30 in the mornings who stated their mission as being in the interest of the charges.

Meanwhile, Harvey A. Parham, president of the St. Louis branch of the National Association for the Advancement of Colored People, called on the police board to hear every available piece of evidence in order that an intelligent decision may be reached.

### OF FOURTH DISTRICT

Cpl. Bernard Callahan and Patrolman John Cohan, the suspended officers, are of the notorious Fourth District.

Parham, in communication with the Police Board, said he was "gratified" to know the hearing would be an open one and in this regard, an NAACP committee would attend to "act merely as observers" during the hearing.

Charles Ostertag, president of the Police Board told the Argus several weeks ago, the hearing would be open and all witnesses would be heard in the case.

Certain key witnesses who would have testified in behalf of the women were not called to testify before the Circuit Court Grand Jury which voted a no true bill against the officers. Two of these witnesses, who were women, were subpoenaed, but were not called to testify. Two others told the Argus they had not been summoned.

The letter from the NAACP president said, in part:

"... The branch is particularly interested in seeing that complete justice is done without regard to position, economic status, and race. In this regard, we sincerely hope that the Board of Police Commissioners will hear every available piece of evidence in order that an intelligent decision may be reached..."

8478

# Two Women Attacked By 8 In Schoolyard

## Tell of Bestial Acts; Prominent Youths Involved

CAMDEN — Two women on Monday in City Hall told a Millish tale of being seized, stripped of their clothing in a school yard on New Year's Eve, raped and made unwilling passive victims of several sex relations by eight men and boys.

Their pointed accusations named Robert Wimer, 22, 2041 N. 13th Philadelphia; Richard Adams, 2111 Coates St., and Alfred Rogers, 26, 1730 Railroad Ave., the three adults involved. They were held without bail for the grand jury.

### Socialites Involved

But the most important drama was absent for four juvenile prisoners, now in custody of Juvenile Court authorities, were also involved and some of them, whose names are withheld because of their ages, are offspring of very prominent Camden families.

The women, whose names are being withheld by police to spare them the shame attendant upon such a crime, are 29 and 32 years.

### Tell Grossome Tale

They told Judge Benjamin Drick who was presiding at the arraignment that the two of them were walking on Sycamore St. toward home about 11:45 p.m. on New Year's Eve.

They approached the rear of the Whittier School, Eighth and Franklin Sts., where eight men grabbed them and forced them into the school yard.

### Busted, Robbed, Raped

They were first beaten and their clothing torn and ripped as the men searched for their valuables. From one woman they got \$47, which was secreted in her bra strap and a \$121 wrist watch.

The clothing of one victim was entirely stripped from her body. The women were forced to submit to various sex violations.

**Case to Police Nude**  
Detective Frank Nelson, who made the arrests assisted by Patrolman Nathaniel Jones, said one of the women was almost nude when she came into City Hall to report the crime. She was covered only by a ripped coat.

The prisoners said they were drunk at the time, according to police.

Detective Nelson stated it required five days to round up the three men, four youths and two material witnesses. Another youngster is still at large.

### Developments Watched

Because of the prominence of some of the youngsters accused, a quiet watch has been kept on the case which at the time it happened got very little publicity locally.

Police are adhering to their policy of withholding names of juveniles who run afoul of the law.

Two of the youths involved have allegedly been released in the custody of their parents but confirmation of this could not be ascertained from official sources.

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New York

8475

**EXPECTANT MOTHER  
RAPED IN BROOKLYN**

A 19-year-old pregnant woman reported to the police yesterday that she was kidnapped by two men in the Bay Ridge section of Brooklyn late Sunday night, kept prisoner for seven hours in their car and raped before she escaped at 6:15 A. M.

The woman, the wife of a merchant seaman who is now at sea, was taken to Israel Zion Hospital suffering from shock, cuts and bruises. Her condition was reported fair.

She told the police she had attended a wedding reception in Brooklyn and had accompanied the bride and bridegroom to Grand Central Terminal before stopping off at several bars on the way home. She was walking on Fifth Avenue near Fifty-seventh Street in Brooklyn, she said, when a light blue sedan pulled up and a man, about 18 years old, got out and forced her into the car.

Another man drove the car around Brooklyn while the young man raped her, she said. Then the two men exchanged places, but she fought off the second man, she said. At 6:15 A. M., she went on, the men stopped the car at Third Avenue and Fiftieth Street and she ran away. They did not chase her.

Passers-by called the police, who were investigating the case.

8476

## White Man Out On Bail *by - in a case In Attack*

*27-1839*  
GRAHAM, N.C. — Eugene Reid, the white textile factory worker who was convicted of attacking a 22-year-old Shaw University junior at gun point in the home where she was employed as a nursemaid, was freed from jail last week, in \$3,100 bond.

An all-white jury of three women and nine men in Judge A. W. Crisp's court had heard charges of rape preferred against Reid, but they returned a verdict of assault with the intent to commit rape against him, and Judge Crisp sentenced the 34-year-old man to a prison term of from 8 to 10 years.

The victim of the attack, Miss Mildred Wagstaff, was working as a nursemaid in the Reid home in Hopedale in place of her sister, when Reid returned home from the mill where he was supposed to be working on the night shift and criminally assaulted her.

### 2 Days To Raise Bond

Although the amount of bond was set for Reid when he was sentenced by Judge Crisp, pending an appeal of the case, the prisoner had not been able to obtain the money and he was detained in the Alamance County jail for eight days before he was able to raise the bond.

It is believed in this area that this case is not only the first in which a white man has been convicted for attacking a colored woman, but also one of the few times that one has ever gone on trial for the offense.

### Minister Cleared Of Rape Charges

CHATMAN, Va. — Assault and rape charges against Rev. W. J. Keen of Danville were dismissed last week after a grand jury turned in a true bill.

The charges were brought by a former member of the minister's congregation and mother of nine children. She claimed he criminally assaulted her on a lonely road following an all-day church meeting on April 18, 1951.

## Father Rescues Girl From Rape

By A. M. RIVERA Jr.

YANCEYVILLE, N. C. — A 31-year-old white state highway employee is being held here in the Caswell County Jail under a \$3,000 bond on a charge of "assault with intent to commit rape" on an 18-year-old Negro high school senior. *27-1839*

Initially, the alleged assault is reported to have taken place in the same vicinity that *27-1839* the internationally known Mack Ingram Serial killer, seventy-five feet east, and will be tried in the same courthouse and during the same term of Superior Court in November.

Sheriff G. L. Gatewood said that Oscar Kyles, 31-year-old father of two children, was arrested July 10 after John Watlington, father of the alleged victim, had reported the attack.

Kyles appeared before the Caswell County Grand Jury on the charge of allegedly attempting to criminally assault Miss Nancy Watlington, a senior at the Caswell County High School, about 10:40 A. M., July 10. Kyles denied the charge and was ordered held on \$3,000 bail.

Miss Watlington, a neat farm girl, told the Courier that she was on her way home from McPherson's store in the Stony Creek section of the county when she approached a parked State Highway dump truck. She said that when she neared the vehicle the driver, who was pretending to examine the tires, stood up and commented on the weather.

"HOT DAY, ISN'T IT?" she quoted Kyles as saying, and stated that she answered, "Yes sir, it is." Miss Watlington said that Kyles then asked her to go into the bushes with him and she told him "No," and started to run.

She told the grand jury that she and Kyles tussled and when another truck was seen coming in the distance he pulled her off the road and about eighty-five feet down an embankment. According to the prosecutrix,

## We Were White... Says Lawyer

*27-1839*  
He reminded the jury that the uniform (soldier) of the men were put on trial. "Colored men have worn the uniforms of this country in every war in which it has fought."

*Challenger Hill*

Pearson then challenged the statement made by Harold L. Hill, Waycross, Ga., to the men Luis Kyles, who had been a white woman and then had had hooded colored. *27-1839* son, NAACP lawyer, who was addressing the jury, that three white soldiers had raped a colored woman.

The eloquent attorney never finished the sentence but the impact of the silence that followed indicated that everyone in the courtroom had completed it, and judging from facial expressions, it had a terrible impact upon white members of the jury.

Eleven white "members of the tribe" turned their heads away or dropped them on their chests. Only the sole colored juror, Caldwell Cameron of Caswell, N.C., kept his eyes open, *27-1839* and *27-1839* Harry Illinois.

*27-1839*  
Pearson Pounds On  
Realizing that the jury could turn their heads but that their eyes were still open, Pearson then have relations with a white man demands: "If this woman (Mrs. Lee) *27-1839* Miss Arter does not have the what Col. Shirley said in a right to walk the highways of our government let's leave the North Carolina with full protection of the law, then tell me what is her husband fighting for in Korea."

*27-1839*  
There were "Amen"s and "Ummms" from the colored side of the courtroom and the judge gave a quick look of reprimand in their direction.

The white side of the courtroom was silent and seemed a bit ashamed. *27-1839*  
But I would like to add that the white folk here seemed to try in every way to assure you that "We did not do it! Look, our hands are clean."

*27-1839*  
Tones Voice Down  
The attorney stepped back a respectable distance from the red-faced jury (except one) and toned voice down to a touching degree.

"While this woman was being raised in the fields of North Carolina, her husband was on the battlefield of Korea fighting to protect your homes and your children. She is entitled to the same protection under the law as any other citizen."

"Free those men and North Carolina will become the leading state of the whole world. What you say here is your

✓ 27h(2) 1952

Ohio

8472

## Ex-War Hero Kills Self After Thefts, Rape

CANTON, Ohio, April 13.—A war hero and former boxer killed himself last night, ending a chase in which, police said, he shot at two men, stole three cars and raped and robbed a farm woman.

Cornered near East Canton, Raymond White first threatened to shoot police when they approached his stolen car. But, when more police arrived, he fired just one shot—through his own head.

The manhunt for the 38-year-old, 240-pound giant started when he shot at, and missed, two State highway patrolmen near East Springfield, Ohio, Friday night. They had stopped his car to question him about a \$275 filling station holdup near Brilliant, Ohio, last week.

He abandoned the car after the pursuing patrolmen fired through its windows. He fled into a woods. After that he stole the cars, the third at gunpoint near Delroy, Ohio.

The highway patrol and the Carroll County Sheriff's office said White raped a farm woman yesterday afternoon and robbed her of \$130 and a revolver.

In World War II White wiped out a pocket of 11 Japanese during a battle in the South Pacific, winning the Silver Star.

White was separated from his wife, Bernice, and 4-month-old son but lived in a trailer near their home in Amsterdam, Ohio.

27h(2) 1952

Texas

8462

# CHILD RAPE VICTIM SAYS PICTURES TAKEN OF ACT

A shamefaced little girl testified today that Charles Edward Klinedinst's common-law wife took pictures of them while Klinedinst raped her.

The child, who was twelve years old when the incident took place on Aug. 31, opened the ~~case~~ testimony in Klinedinst's rape trial. Dist. Atty. Henry Wade and Assistants James K. Allen and Ray Kloss are asking the death penalty.

Klinedinst, she said, told her that "they took the pictures so I couldn't tell anybody." Flushed of face, she testified, "He said he would show them and they'd send me up, or something."

Criminal Dist. Judge Henry King refused to let the jury see the seized pictures, ~~and~~ finds that they were inflammatory.

He overruled however, a request by court-appointed defense lawyers Albert Reagan and Edgar Smith that the judge instruct all witnesses and lawyers in advance not even to mention that pictures were taken. The defense lawyers, who admit that an act of intercourse took place, base their defense on a claim that Klinedinst is insane.

The small victim, wearing a blue gingham dress to court, said she had met Klinedinst and his common-law wife, Shirley Beatrice Mook, 24, at an Oak Cliff swimming pool last August. The Mook woman now is in jail, also charged with rape. She can not testify because of her relationship to Klinedinst, and because she stands charged.

A few days after their first meeting, she said, she met them again. They accompanied her home and visited with her mother for a couple of hours. Several days after that, with her mother's consent, she went with them on what was to have been an outing to Lake Dallas overnight.

Car trouble developed and they went to White Rock Lake instead. After nightfall, she testified, Klinedinst raped her. Once, she said the

Mook woman gave him assistance.

After that, she said, "I begged him to take me home, and he said, 'Go on to sleep.' Soon he raped her again, despite her tears, she said.

"I asked Shirley to make him quit and she said she couldn't make him do anything," she testified.

They spent the night there. Next morning they left, stopping by an apartment on North Haskell which Klinedinst and the woman shared. They got their camera there, said the victim. Then they stopped at a thicket off Lemmon, north of Turtle Creek.

"He said I'd better do what he wanted if I wanted to go home," she said. Klinedinst then stripped her and raped her twice, she testified. He asked his "wife" to take some pictures of him and the girl, and she took one of them standing together, nude, said the witness.

Over loud defense objections, the judge also allowed into evidence a signed statement Klinedinst gave to Detective H. C. Holloway, admitting the act and the picture-taking. The statement referred to eight pictures. Prosecutors tried to get all eight developed pictures into evidence, but were refused on all.

The victim's mother testified that the girl came home weeping, nervous and upset. They went to police headquarters, where she told her story.

The victim also was examined there by Dr. E. G. Lyons of the city health department, who testified the examination showed the child had been raped.

Defense testimony will be heard Friday morning.

## Two Reports Of Rape Start Investigation

Sheriff's deputies Wednesday were investigating two reports of rapes of minor girls.

A 13-year-old Grand Prairie girl told officers she had been raped by

two 17-year-old boys while she was on her way home from swimming Sunday night.

The youths, she said, were in a car with several other boys that

stopped her on her way home. She said the two offenders forced her into the car. At an isolated spot, she said, the other youths left and the two boys raped her. Then they left her to find her own way home.

The girl said she hadn't reported the ~~case~~ earlier because her mother was ill, and she did not want to upset her. An examination by county health officials disclosed she had been raped.

A 10-year-old girl from South Dallas County, ~~now~~, signed a statement that her 31-year-old stepfather had forced her to submit to him.

"I started crying and he told me to shut up," her statement said in part.

Later, she said, she told her mother, and her stepfather started to whip her. When the mother intervened, the stepfather packed his clothes together, put them in his car, and drove away.

Part 3

8479

## Recording a Year Without Lynchings

Tuskegee Institute in Alabama has kept a record of lynchings in the United States since 1882. It has compiled and published annual reports, showing by States the number of such mob crimes; but also taking note of mobs frustrated by courageous, resourceful peace officers since 1913.

Now, for the first time, Tuskegee can report that a year has gone by without a single lynch-murder anywhere in the country. However, one near-lynching—in Columbia, South Carolina—was averted when the parents of a Negro schoolgirl, victim of a sex murder, persuaded a mob gathered at the county jail, seeking the suspected killer, to disband and let the law take its course.

Consequently, there was a clean slate for 1952. During the four previous years the far as appears, all have gone unpunished. Institute's research workers had counted but To set its house in order, America needs eight lynchings. For the past 10 years the still more fact-finding and more pressure by record shows 21 such crimes—an averagean alerted civic conscience.

It is evident, therefore, that such outrages—long condoned by public opinion in some Southern States—have been definitely on the way out for at least a decade, perhaps longer. At first glance, then, the comparative figures apparently bear out many Southern Congressmen's contention through some years past: There was no need of a Federal anti-lynching law. The evil could be eradicated without it.

How much credit for the improvement thus shown—that is, for the steady gains by law and order against mob spirit—is due Tuskegee Institute for its admirable year-by-year fact-finding, a powerful weapon, and how much credit must be shared with other workers in the field is problematical.

All those civic organizations, as well as churches, schools and newspapers, that consistently attacked the evil, have done good work, certainly.

However, Tuskegee's current comparative figures—tabulated by decades—tell their own convincing story: 597 lynchings for the first 10 years of factual reports; 175 for the

second; 103 for the third; and 21 for the fourth.

There is proved anew a well-tried principle of public policy:

Give the people the facts concerning a social evil or civic abuse, and an aroused public opinion will see the abuse corrected or the wrong righted.

At the moment, however, it would be quite premature to assume that lynching has been eradicated completely. Besides, the mob spirit—fanned afame by prejudice, hate or greed—still finds other outlets, as in floggings, incendiaryism and bombings.

For the past four years, Tuskegee Institute's record shows 68 bomb outrages (49 against Negroes) in 27 cities of 13 States. So of little more than two a year.

### End Of Mob Murder

A report for which the country has waited anxiously for many decades has come out of the Tuskegee Institute. There was no lynching in the United States last year. For the first time in 70 years a whole calendar year has elapsed without a single instance of mob murder. It is no occasion for pride, for the absence of heinous crime ought to be taken for granted. The Tuskegee announcement does, however, lift from the country a burden of shame that every decent American found to be intolerable.

P. 4 B

Only a few decades ago lynchings were recorded at the rate of about one each week. In the last 10 years, the number declined to 21, with a gradual approach to the zero mark in 1952. But no one can assume, however, that the sparks that lead to mob murder have been entirely quenched. One threatened lynching was prevented last year, and in the previous several years only the vigilance of law-enforcement officers kept outbreaks of this sort in check. Now the forces of law and decency have effectively demonstrated that lynching can be wiped out, extraordinary vigilance is needed to prevent any slipping back into the terror of mob violence.

## Encouraging, But—

The very impressive progress made through the years in dealing with the lynching problem was maintained in 1952, but another form of violent lawlessness—bombing—is giving increased cause for deep concern.

Tuskegee Institute reports that, according to its criteria, it has no lynchings, as such, to report for the year just past. This, it is asserted, is the "first time such a report has been made in the 70 years of lynching record-keeping, 1882-1952."

Tuskegee, since 1913, has been issuing annual lynching reports. Differences of opinion have prevailed as to just what should be regarded as a lynching, and as to whether particular crimes should be so classified. The Alabama Institution's records, however, show 896 cases placed in that category in the last four decades.

Of these, 597—or 66.6 per cent—occurred in the 1913-22 period; 175—or 19.5 per cent—in the 1923-32 period; 103—or 11.5 per cent—in the 1933-42 period, and 21—or 2.3 per cent—in the 1943-52 period. In the five years, 1948-52, eight cases were so classified.

This, obviously, constitutes remarkable and deeply gratifying evidence of the advance made in combating this revolting form of lawlessness.

It provides major support for the contention that there is no need for federal anti-lynching legislation along the lines proposed by advocates of the Truman administration's civil rights program.

The great encouragement to be found in these statistics is substantially offset, however, by the extent of the recent prevalence of bombing as a means of retribution and intimidation.

Tuskegee reports that in the four years, 1948-52, at least 68 instances of bombing or attempted bombing (those connected with labor troubles were not included) occurred in the nation. They were, according to the report, "connected in the main with racial and religious tensions; 49 of these were directed against Negroes; 10 against whites and public institutions; at least eight against Jewish synagogues, schools and community centers, and one against a Catholic church."

These crimes were not confined to any one section of the country. Bombings occurred in 13 states and 27 cities and towns, as follows according to the Tuskegee records: Alabama—Birmingham, Crossville, Cottonwood, Dothan, Phenix City; California—Los Angeles; Florida—Bartow, Jacksonville, Orlando, Miami, Mims; Georgia—Atlanta, Bainbridge, Rome; Louisiana—New Orleans; Missouri—Kansas City; Illinois—Cairo, Chicago; Ohio—Warren; North Carolina—Charlotte, Oxford; Pennsylvania—Philadelphia; Tennessee—Chattanooga, Nashville; Texas—Dallas; Virginia—Ashland, Norfolk.

Only two deaths—those of Mr. and Mrs. Harry T. Moore of Mims, Fla.—resulted from these outrages, but obviously casualties might have been much higher and property damage has been heavy.

The challenge in these figures is plain and urgent. It is to maintain the progress made against lynching and to direct the utmost official and citizen efforts toward like progress in overcoming other similar forms of lawlessness.

# 52 Was First Lynchless Year For U. S., Institute Reports

By the Associated Press

TUSKEGEE, Ala., Dec. 31.—The United States went through 1952 without a death from mob violence, giving the Nation the first lynchless year ever recorded, according to Tuskegee Institute.

Despite a gradual decline in lynch-killings in the past decade, Tuskegee records show at least one mob death every year from 1951 back to 1882, when the famed Negro ~~John~~ started keeping its file.

But where the number of lynchings has fallen off finally to the zero point, Tuskegee's President P. D. Patterson said "Other rather similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report yesterday, "there appears to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

## "Lynching" Term Unpopular.

He complained, too, that, "even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term 'lynching' is becoming more and more unpopular."

The 1952 report listed one "lynching prevented." It was in Clarendon County, S. C., where a 28-year-old Negro was charged with killing a 16-year-old Negro school girl, Vera K. Brown, and ultimately given five years in prison.

The lynching report, in protesting other "patterns of violence," focused attention especially on recent bombings.

Against Negroes, Dr. Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

Jewish religious and welfare institutions and at least one Catholic church have been other targets, the college president added, and "homes and property of other whites, who in one way or another have incurred the enmity of the bombers, have not been exempt from the blasts."

18 Bombings in 4 Years.

From 1943 through 1952, the

## Tuskegee Institute Reports No Lynchings

For the first time since 1913, Tuskegee Institute will not issue an annual report on lynchings in the nation because for the first time during the period there were no lynchings to report.

In each previous year there have been annual accounts of one or more of these inhuman acts of barbarism and disregard for law and order. Although not confined to any one section, most of these outbursts of mob violence occurred in the South. Let it be said that it is a record of which we are not proud.

During the entire period there are records at Tuskegee of 856 lynchings in the nation. During the decade from 1913 to 1922, 592 of these occurred. Since that time they have declined steadily. In the decade 1943-1952 only 21 were recorded and in 1952 there were none.

Although acts of mob violence and terrorism have not ended, actual murders are becoming a thing of the past. Most people give credit to education and the ceaseless fight by leaders of the church, press, and men in public life against wanton disregard of the forces of law and order set up for protection of all citizens.

No problems were settled by lynchings. No social questions or issues of prejudice ever will be settled by mob violence. The answer lies in an enlightened citizenry willing to approach problems with intelligence and understanding and in accordance with the laws of the land.

WEDNESDAY, DECEMBER 31, 1952

## Tuskegee Should Do Some Research

Several years ago Tuskegee Institute began compiling a list of lynchings and mob violence and making it a year-end story. The list gets national and international "play" in newspapers and on radio broadcasts. It has become accepted as an authentic list, which, no doubt, is what the officers of the Institute had in mind when they began the compilation as a means for focusing public attention upon instances wherein those without authority take the law in their hands and those with authority greatly exceed same. In either instance, an individual's personal rights are violated and frequently, his life forfeited to lawlessness.

The latest list, released yesterday, cited 68 instances of bombings, one of which is credited to Norfolk. A careful check of police and newspaper reports there produced six instances of dynamiting but not any of them in Norfolk. All occurred in Norfolk county and none involved Negroes.

The implication of the Tuskegee list is that the victims are Negroes, although it is not stated. Negroes were almost exclusive victims of mob action years ago when the list was started.

From Danville's experience in being "listed" a few years ago (a correction was made promptly by Tuskegee when full evidence of error had been presented) and from the Norfolk citation, it would seem that Tuskegee Institute would either make a more careful check on reported cases before placing them on the list, or drop the annual compilation. A few more instances of error can destroy the widespread acceptance of the lists and also hurt the enviable reputation of Tuskegee in many other fields of endeavor operating to the benefit not only of Negroes but for all Americans.

8480

# Lynching Record Zero For 1952

union at least one of them, the use  
of the bomb.

**BOMBINGS AND ATTEMPTED**  
bombings. During the past few years, these activities have been directed against homes, schools, religious and other community institutions.

As they relate to Negroes, bombing of homes and other property has taken place mainly where Negro leaders were thought to be too active in improving the status of their people.

In regard to religion, Jewish religious and welfare institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of the bombers, have not been exempt from blasts.

Continuously since 1913, Tuskegee Institute has issued an annual report to the nation on the subject of lynching, thus spotlighting public attention on this national problem. For the period, 1913-52, the records show 896 cases of lynching, broken down by cas-  
tates as follows:

1913-1922, 597. 1923-1932, 175.  
1933-1944, 103. 1945-1952, 21.

**ONE CASE OF "Lynching Pre-  
vented"** was listed. From Colum-  
bia, South Carolina came the re-  
port that in March of this year the  
relatives of a 16-year-old Negro  
school girl had to talk fast to keep

about 50 men from storming the

county jail and lynching William

Felder, about 28, who allegedly  
shot the young student to death  
after a rape attempt. We find that

even where officers of the law  
have been brave enough to thwart  
mob action, in some cases they  
prefer not to make this fact known.  
The term "lynching" is becoming  
more and more unpopular.

However, in this our 40th annual

report, it appears important to the  
welfare of the country to state

that while lynching as one form of  
extra-legal punishment seems to be

steadily declining, other rather

similar forms of violence and law-

lessness have not decline. Indeed,

there appears to be too many cases

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ings by officers of the law of per-

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like.

Continuing, the report said: In a

report as brief as this, it is not

possible to present data on all of

these patterns of violence, but we

think it pertinent to focus attention

lotte, Oxford; Pennsylvania — Philadelphiia; Tennessee — Chattanooga, Nashville; Texas — Dallas; Virginia — Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

## The Tip-Off

By EMORY O. JACKSON

### TUSKEGEE REPORT

Dr. F. D. Patterson, President of report, it appears important to the Tuskegee Institute, has released the welfare of the country to state that following report:

Continuously since 1913, Tuskegee Institute has issued an annual report to the nation on the subject of similar forms of violence and law-lynching, thus spotlighting public lessness have not declined. Indeed, attention on this national problem, there appears to be too many cases. For the period, 1913-1952, our records show 896 cases of lynchings by officers of the law of persons suspected or guilty of crimes; broken down by decades as follows:

| Years       | Number | Percent |
|-------------|--------|---------|
| 1913 - 1922 | 597    | 66.6    |
| 1923 - 1932 | 175    | 19.5    |
| 1933 - 1942 | 103    | 11.5    |
| 1943 - 1952 | 21     | 2.3     |
| Total       | 896    | 100.0   |

Tuskegee Institute has no lynchings, as such, to report for 1952, according to criteria used in our Department of Records and Research.

This is the first time such a report has been made in the 70 years of lynching record keeping, 188-1952. The 5 years, 1948-1952, show a total of 8 cases.

One case of "Lynching Pre-  
vented" was listed. From Colum-  
bia, South Carolina came the re-  
port that in March of this year the  
relatives of a 16-year-old Negro  
school girl had to talk fast to keep

about 50 men from storming the

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Felder, about 28, who allegedly  
shot the young student to death  
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The term "lynching" is becoming  
more and more unpopular.

Continuing, the report said: In a

report as brief as this, it is not

possible to present data on all of

these patterns of violence, but we

think it pertinent to focus attention

on at least one of them, the use

of the bomb.

**BOMBINGS AND ATTEMPTED**  
bombings. During the past few years, these activities have been directed against homes, schools, religious and other community institutions.

As they relate to Negroes, bombing of homes and other property has taken place mainly where

reported from houses of religious worship. Only chance has kept human casualties low, although property destruction has been high.

Bombing is confined to no section of the country. Recent, it has become more prevalent in the South. While the date presented below are not intended to be a complete coverage of all cases of bombing (those connected with strikes and other labor disputes are not included here) they are indicative of the big task of education in human relations still to be accomplished in our democracy.

For the 4 years, 1949-1952, at least 53 cases of bombing were recorded, connected in the main with racial and religious tensions. While Lynchings as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not decline. Indeed, attention upon at least one of them, the use of the bomb.

Bombings have happened in the following places: ALABAMA—Birmingham, Crossville, Cottonwood, Dothan, Phenix City; CALIFORNIA—Los Angeles; FLORIDA—Bartow, Jacksonville, Orlando, Miami, Miami; GEORGIA—Atlanta, Bainbridge, Rome; LOUISIANA—New Orleans; MISSOURI—Kansas City; ILLINOIS—Cairo, Chicago; OHIO—Warren; NORTH CAROLINA—Charlotte, Oxford; PENNSYLVANIA—Philadelphia; TENNESSEE—Chattanooga, Nashville; TEXAS—Dallas; VIRGINIA—Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

At some later time, this column hopes to devote some discussion to this report. However, it would be a good idea for civic leagues, women and youth groups to examine this report; and let Tuskegee Institute, newspaper editors and the general public have their ideas about.

In Alabama, for instance, beginning with 1942, some 30 or more Negro citizens have been fatally shot by law enforcement officers in the state.

The question of the number of such incidents needs studying. Some 15 Negroes were killed by Alabama law enforcement officers in 1952. A national report of such tragedies might be alarming. It is a field which deserves checking into more widely, it seems to me.



about 28, who allegedly shot the young student to death, after a rape attempt. We find that even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term "lynching" is becoming more and more unpopular.

Continuing, the report said: In a report as brief as this, it is not possible to present data on all of these patterns of violence, but we think it pertinent to focus attention

# Tuskegee Institute Guardedly Reports No 1952 Lynchings *Above*

TUSKEGEE, ALA. — This year, when Tuskegee Institute issued its annual report on lynchings in the United States, it was noted the report was accompanied by the explanatory note: "According to the criteria used in our Department of Records,"

The report, after making the above explanation, declares there were no lynchings in the United States in 1952 and this was the first time there have been no lynchings within a year since lynchings records were first kept in 1882.

The report mentions "Lynchings Prevented." One of these was in South Carolina where in March of 1952 a 16-year old Negro girl had to talk fast to keep about 50 men from storming the jail and lynching William Felder, 28 who allegedly had shot a young student to death.

The Tuskegee report says, that while there has been a decline in lynchings, other extra-legal forms of punishment seem to be on an increase. Mention is made of "too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit is expressed in the beatings, floggings, incendiaryism, bombing and the like."

Bombings have been directed against homes, schools, religious and other community institutions. Bombings have taken place mainly where colored people have moved or attempted to move into what were considered white neighborhoods.

Bombers have also attacked property of Jews and Catholics, the report states. The potential for destruction of life and property by this form of violence is incalculable, the report states.

Bombing is confined to no particular section of the country, it is stated but recently it has become more prevalent in the South.

The past year, the report reveals, there were 68 instances of bombings, connected in the main with racial or religious tensions; 49 were against Negroes; 10 against whites and institutions; at least 8 against Jewish Synagogues, schools and community centers; 1 against a Catholic Church. The report ends with the following:

Bombings have happened in the following places: ALABAMA—Birmingham, Crossville, Cottonwood, Dothan, Phenix City; CALIFORNIA—Los Angeles; FLORIDA—Bartow, Jacksonville, Orlando, Miami, Mims; GEORGIA—Atlanta, Bainbridge, Rome; LOUISIANA—New Orleans; NORTH CAROLINA—Charlotte, Oxford; PENNSYLVANIA—Philadelphia; TENNESSEE—Chattanooga, Nashville; TEXAS—Dallas; VIRGINIA—Ashland, Norfolk.

MISSOURI—Kansas City; ILLINOIS—Cairo, Chicago; OHIO—Warren.

This makes a total of 13 states and 27 cities and towns.

Very truly yours,  
F. D. Patterson,  
President.

## No Lynchings In '52 Says Tuskegee Institute Annual Report

### See Old Type Lynching Replaced By New Forms Of Lawlessness

TUSKEGEE INSTITUTE, Ala., Jan. 5.—(Special) — For the first time since Tuskegee Institute began making annual reports of lynchings in these United States, some 70 years ago, the school's report for the past year, 1952, shows that ~~one~~ since ~~the~~ ~~old~~ type was committed during the year.

Although 1952 gave the nation its first lynch-less year according to the Tuskegee report, the school noted that there seemed to be an increase in other forms of violence against Negroes and colored that one lynching of the old type was prevented during the year.

Observers who studied the report generally feel that the lynching as it is commonly known and was commonly used over the past decades is becoming unpopular but that other forms of violence, such as lawless, are taking its place.

They point to the portion of the Tuskegee report for the past year which states that during the past four years—1949, 1950, 1951 and 1952—there were 68 instances of bombings—49 against Negroes, ten against whites and public institutions, eight against Jewish synagogues, schools and community centers, and one against a Catholic church.

against a Catholic Church.

As further evidence that the old "rope and short-gun" lynching is being replaced by a kind with newer weapons, Tuskegee President F. D. Patterson said that other similar forms of violence and lawlessness have not declined.

"Indeed," he went on, "there appears to be too many cases of unnecessary, brutality, and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaryism, bombings and the like."

Taking cognizance of the decline of the old type lynching and its replacement by a new method of lawlessness and violence, the report focuses special attention on recent bombings.

Against Negroes," Dr. Patterson said, "this weapon has been used mainly where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he asserted, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

Jewish religious and welfare institutions and at least one Catholic Church have been other targets, Patterson said, and "homes and property of other whites who in one way or another have incurred the enmity of the bombers have not been exempt from the blasts."

The one lynching the report listed as being prevented was one of the old type, i.e., with all the trappings of mob, rope, and short-gun. This incident occurred at Clarendon County, S. C., where a 28-year-old Negro was charged with killing a 16-year-old Negro

school girl and eventually given a five year prison term.

The Tuskegee report said that members of the girl's family had to "talk fast" to keep a group of about 50 men from storming the jail and lynching the prisoner after his arrest last February.

In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

In the four years from 1949 through 1952, the report said there were at least 68 bombings or attempted bombings—49 against Negroes, 10 against whites and public institutions, 8 against Jewish Synagogues, schools and community centers, and one against a Catholic church.

# Report No Lynchings for '52, But Too Many Cases of Brutality and Bombings

Tuskegee, Ala.—The United States went through 1952 without a death from mob violence, Tuskegee Institute reported December 31, giving the nation its first lynch-less year ever recorded.

Tuskegee records show at least one mob death every year from 1951 back to 1882, when the famed Negro school started keeping its file.

The report said 4,726 persons had been killed by mobs in the 70 years from 1882 through 1951. Nearly three-fourths of them, or 3,431 were Negroes; the other 1,295 white.

From a peak of 231 lynchings in 1892, the rate dropped to one death each in 1945, 1947 and 1951.

But although the number of lynchings has fallen off to the zero-point, Tuskegee's President F. D. Patterson said "other rather similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report "there appears to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaryism, bombing and the like."

The report focused attention on recent bombings.

Against Negroes, Dr. Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods."

In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

In the four years from 1949 through 1952, the report said there were at least 68 bombings or attempted bombings—49 against Negroes, 10 against whites and public institutions, 8 against Jewish Synagogues, schools and community centers, and one against a Catholic church.

# TUSKEGEE MAKES 1952 REPORT ON LYNCHING, BOMBING ETC.

## No Lynching Noted In Entire Year Of 1952

Continuously since 1913, Tuskegee Institute has issued an annual report to the nation on the subject of lynching, thus spotlighting public attention on this national problem. For the period, 1913-1952, our records show 896 cases of lynching, broken down by decades as follows:

### LYNCHINGS BY DECADES 1913-1952

| Years     | Number | Pct.  |
|-----------|--------|-------|
| 1913-1922 | 597    | 66.6  |
| 1923-1932 | 175    | 19.5  |
| 1933-1942 | 103    | 11.5  |
| 1943-1952 | 21     | 2.3   |
| Total     | 896    | 100.0 |

Tuskegee Institute has no lynchings, as such, to report for 1952, according to criteria used in our Department of Records and Research. This is the first time such a report has been made in the 70 years of lynching record keeping, 1882-1952. The 5 years, 1948-1952, show a total of 8 cases.

One case of "Lynchings Prevented" was listed. From Columbia, South Carolina came the report that in March of this year the relatives of a 16-year-old Negro school girl had to talk fast to keep about 50 men from storming the county jail and lynching William Felder, about 18, who allegedly shot the young student to death, after a rape attempt. We find that even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term "lynching is becoming more and more unpopular."

However, in this our 40th annual report, it appears important to the welfare of the country to state that while lynching as one form of extra legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined. Indeed, there appears to be too many cases of unnecessary brutality and killing by officers of the law or persons suspected of crimes, and a resurgence of the mob spirit as evidenced in beating, floggings, incendiaries, bombing and the like."

Incendiary, bombing and the like. In a report as brief as this, it is not possible to present data on all of these patterns of violence, but we think it is important to call attention upon at least one of them, the use of the bomb.

### BOMBINGS AND ATTEMPTED BOMBINGS

During the past few years, these activities have been directed against homes, schools, religious and other community institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

In regard to religion, Jewish religious and welfare institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of the bombers, have not been exempt from blasts.

The potential for destruction of life and property by this form of violence is incalculable. To date, two lives have been snuffed out that of Mr. and Mrs. Harry T. Moore of Miami, Florida on December 20, 1951. Occupants of other bombed homes

have been more fortunate and no fatalities have been reported from houses of religious worship. Only chance has kept human casualties low, although property destruction has been high.

### NOT IN ONE SECTION

Bombing is confined to no section of the country. Recently, it has become more prevalent in the South. While the data presented below are not intended to be a complete coverage of all cases of bombing (those connected with strikes and other labor disputes are not included here) they are indicative of the big task of education in human relations still to be accomplished in our democracy.

For the 4 years, 1949-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions; 49 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers and 1 against a Catholic church.

Bombing have happened in the following places: Alabama-Birmingham, Crossville, Cottonwood, Dothan, Phenix City; California-Los Angeles; Florida-Bartow, Jacksonville, Orlando, Miami, Mims; Georgia-Atlanta, Bainbridge, Rome; Louisiana-New Orleans; Missouri-Kansas City; Illinois-Cairo, Chicago; Ohio-Warren; North Carolina-Charlotte, Oxford; Pennsylvania-Philadelphia; Tennessee-Chattanooga, Nashville; Texas-Dallas; Virginia-Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

## TUSKEGEE SAYS BOMBING MAY HAVE REPLACED LYNCHING AS FORM OF VIOLENCE IN AMERICA

*Please see inside p. 4*  
No Old Style Mobs Operated During 1952 Says Annual Report From Alabama School

### BLASTS OCCUR IN 13 STATES, 27 CITIES

**TUSKEGEE INSTITUTE, Ala.** — (AP)— Bombing may replace lynching as a form of violence against Negroes. This idea was indicated last week as Tuskegee Institute announced its 40th annual report on lynchings in America.

Lynch mob violence has virtually disappeared in the United States, according to the report. There were no lynchings during 1952, and there was only one case in which a possible lynching was prevented. This occurred in Columbia, S. C.

Declaring that lynching "is becoming more and more unpopular," the report warned:

"However, it appears important to the welfare of the country to state that while lynching as one form of extra legal punishment seems to be declining, other rather similar forms of violence and lawlessness have not declined." *Q-L-10-53*

"Indeed there appears to be too many cases of unnecessary brutality and killings by officers of the law or persons suspected or guilty of crimes, and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaries, bombing and the like."

The report then made a specific statement on "bombings and attempted bombings." Bomb incidents, it said, have occurred in 13 states and 27 cities and towns during the past four years. There

# Lynch - Free '52 Sets New Record

TUSKEGEE, Ala.—(INS)—Tuskegee Institute last Tuesday reported 1952 as the first "lynch free" year since the famed school began recording such cases 40 years ago.

The Tuskegee Department of Records and Research also reported that the decade stretching from 1943 through 1952 saw fewer than four per cent as many lynchings as the 10 years from 1933 through 1942.

The Institute began its annual reporting of lynch cases in 1913 to spotlight public attention on the problem, and the first 10 reports added up to 597 lynchings, compared to 21 for the decade ended last year.

Eight lynchings are listed for the five years from 1948-52.

With this year free of actual lynchings, Institute records describe one "attempted lynching"—at Columbia, S. C.—where relatives of a slain, 16-year-old Negro girl talked a gang of men out of hanging William Felder, in prison for the slaying.

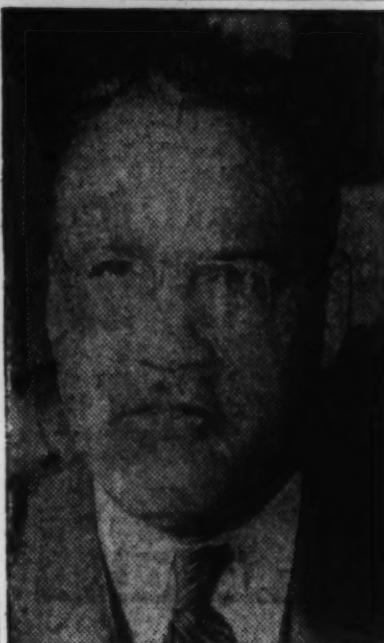
Institute President Dr. F. D. Patterson says, however, that while lynching seems declining steadily other forms of violence and lawlessness are not.

"While the bombings are decreasing, the past few years have seen a tendency toward beatings, floggings and other forms of violence by organized groups and posses, of police brutality, and some instances where officers have killed Negro prisoners while arresting them or taking them to prison."

Dr. Patterson pointed to bombings and attempted bombings as new forms of lawlessness which have not declined with the lynchings themselves.

The Institute states that the bombings—as far as Negroes have been concerned—have taken place mainly where members of the race have tried to move into "white neighborhoods," or where "Negro leaders were thought to be too active in improving the status of their people."

The figures list 68 instances of bombings or attempted bombings over the past four years, with 49 directed against Negroes, 10 against Jewish synagogues and one against a Catholic church.



DR. PATTERSON

## Report No Lynchings Occurred Last Year

### Tuskegee Lists Bombings

#### As New National Problem

TUSKEGEE, Ala.—Tuskegee Institute reports no lynchings for 1952, according to criteria used in the school's Department of Records and Research, the first time such a report has been made in the 70 years of lynching record keeping.

The 40th annual report to the nation on the subject of lynching points out, however, that "while lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined."

"There appear to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes, and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like," the report states.

#### Prevent One Lynching

One case of "lynchings Prevented" was listed for the past year. This was said to have taken place in Columbia, S. C., in March when "relatives of a 16-year-old colored girl had to talk fast to keep about 50 men from storming the county jail and lynching" a 28-year-old man who allegedly shot the girl to death after attempting to criminally assault her.

Continuing, the report states that "we find that even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known."

"The term 'lynching' is becoming more and more unpopular."

#### 8 Cases In 5 Years

For the past five years, 1948-1952, the report lists a total of 8 lynchings cases. For the period 1913-1952, it says records show 597 cases.

Centering its fire on bombings as the new national problem, the report states that for the four years, 1949-1952, "at least 68 instances of bombing or attempted bombings were recorded, connected in the main with racial and religious tensions."

Atempt to seize a rape suspect. The institute report showed that lynchings steadily declined since 1913. From that year until the present, a total of 896 were recorded. The first decade of that period had 597 lynchings, the second decade 175, the third decade 13 and the final decade 21.

In the five years, from 1948 to 1952, there were eight such violent deaths.

On the other hand, the institute report said, there appears to be "a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

Dr. F. D. Patterson, Tuskegee president, said of bombings.

"For the four years, 1949-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions. 43 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers and one against a Catholic church."

He said that bombings had occurred in 27 towns in 13 states and remarked:

"Bombing is confined to no section of the country. Recently, it has become more prevalent in the south."

Property destruction was reported as being high from such bombings although "only chance has kept human casualties low." Two persons, Harry T. Moore, of Mims, Fla., and his wife, were killed by a blast at their home in 1951.

| Years     | lynchings Number | Decades Percent |
|-----------|------------------|-----------------|
| 1913-1922 | 597              | 66.6            |
| 1923-1932 | 175              | 19.5            |
| 1933-1942 | 103              | 11.6            |
| 1943-1952 | 21               | 2.3             |
| Total     | 896              | 100.0           |

Breaking the total figure down, the report claims 49 of the bombings were directed against colored persons, 10 against whites and public institutions, at least 8 against Jewish synagogues, schools and community centers and one against a Catholic church.

"Bombing is confined to no section of the country," the report continues. "Recently, it has become more prevalent in the South. While the data presented are not intended to be a complete coverage of all cases of bombing. They are indicative of the big task of education in human relations still to be accomplished in our democracy."

#### Bombings By State

A breakdown of the bombings by state completes the report. It is as follows:

Alabama — Birmingham, Crossville, Cottonwood, Dothan, Phenix City; California — Los Angeles; Florida — Bartow, Jacksonville, Orlando, Miami, Mims; Georgia — Atlanta, Bainbridge, Rome; Louisiana — New Orleans; Missouri — Kansas City; Illinois — Cairo, Chicago; Ohio — Warren; North Carolina — Charlotte, Oxford; Pennsylvania — Philadelphia; Tennessee — Chattanooga, Nashville; Texas — Dallas; Virginia — Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

TUSKEGEE, Ala.—(INS)—lynchings occurred in the nation in 1952, the first lynch-free year since Tuskegee institute began keeping records 70 years ago.

Institute officials, in making that report Wednesday, warned however that a new pattern of terrorism—through bombings—appears to have emerged.

One case of "lynching prevented" was reported ~~in~~ the year. This, the institute said, occurred in Columbia, S. C., last March when a group of about 50 men were talked ~~into~~ an apparent

# U. S. Reported Free Post-Herald p. 1 Of Lynchings In '52

**But Tuskegee Institute Head Notes  
Bombings And Other Forms Of Violence**

TUSKEGEE, Dec. 30 (UPI)—Tuskegee Institute announced today that 1952 was the first year entirely free of lynchings in the 70 years the Negro school has kept records but officials gravely noted a "resurgence of mob spirit" in other forms.

The institute's annual report said there was not a lynching anywhere in the U. S. in the past 12 months, a marked contrast to the years from 1918 to 1923 when mobs were blamed for an average of 60 lynch killings a year.

Tuskegee's President F. D. Patterson said, however, that "while lynchings seem to be steadily declining, other similar forms of violence and lawlessness have not declined."

"Indeed," he said, "there appears to be too many cases of unnecessary brutality and killing by officers of the law or persons suspected or guilty of crimes, and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaries, bombings and the like."

Missouri—Kansas City, Illinois—Cairo, Chicago, Ohio—Warren, North Carolina—Charlotte, Oxford, Pennsylvania—Philadelphia, Tennessee—Chattanooga, Nashville, Texas—Dallas, Virginia—Ashland, Norfolk.

## Mob Violence Cause of No Death in Year

TUSKEGEE, Ala., Dec. 30 (AP)—The United States went through 1952 without a death from mob violence, Tuskegee Institute reported Tuesday, giving the nation its first lynchless year ever recorded.

Patterson said 68 cases of bombings, most of them connected with racial and religious tensions, were reported over the four-year period from 1949 to 1952. He said 49 were directed against Negroes, 10 against whites and public institutions, at least eight against Jewish synagogues, schools and community centers, and one against a Catholic church.

The reported attacks do not include those connected with strikes or labor disputes, Patterson said. The Negro school head said some of the attacks have occurred where Negroes "moved or attempted to move into what were considered white neighborhoods."

Patterson dwelt at some length on the bombings. He said that it is confined to no one section of the country, but that it has become more prevalent in the South. He added that at least two persons—Mr. and Mrs. Harry T. Moore, Nims, Fla.—have been killed in home bombings.

"Indeed," he said in his annual report, "there appears to be too many cases of unnecessary brutality and killing by officers of the law or persons suspected or guilty of crimes, and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaries, bombings and the like."

## First Year Without a Lynching: 1952 Breaks the U. S. Pattern

By The Associated Press

TUSKEGEE, Ala., Dec. 30.—The United States went through 1952 without a death from mob violence, Tuskegee Institute reported today, giving the nation its first lynch-less year ever recorded.

Despite a gradual decline in lynch-killings for the last decade, Tuskegee records show at least one mob death every year from 1951 back to 1882, when the Negro school started keeping its file.

However, where the number of lynchings has fallen off finally to the zero point, Tuskegee's president, F. D. Patterson, said, "Other rather similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report, "there appears to be too many cases of unnecessary brutality and killing by officers of the law or persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaries, bombing and the like."

"Even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term 'lynching' is becoming more and more unpopular."

The 1952 report listed one "lynching prevented" during the year. It was in Clarendon County, S. C., where a twenty-eight-year-old Negro was charged with killing a sixteen-year-old Negro schoolgirl, Vera K. Brown, and ultimately given five years in prison.

Tuskegee's version of the incident said members of the girl's family "had to talk fast" to keep a group of fifty men "from storming the jail and lynching" William Felder after his arrest in February.

A Clarendon County official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in the Felder case. Mrs. Jessie P. Guzman, director of research at Tuskegee, who compiled the report for Mr. Patterson, said her information came from "The Chi-

eago Defender," a Negro newspaper.

The lynching report, in protest ing other "patterns of violence," focused attention especially on recent bombings. Against Negroes Dr. Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

### Whites Are Bombed

Jewish religious and welfare institutions and at least one Catholic church have been other targets, he added, and "homes and property of other whites, who in one way or another have incurred the enmity of the bombers, have not been exempt from the blasts."

In the four years from 1949 through 1952, the report said, there were at least sixty-eight bombings or attempted bombings—forty-nine against Negroes, ten against whites and public institutions, eight

against Jewish synagogues, schools and community centers and one against a Catholic church. Two victims have died.

The nation's first lynch-less year came after 4,726 persons had been put to death by mobs in the seventy years from 1882 through 1951. Nearly three-fourths of them, or 3,431, were Negroes; the other 1,295 white. From a peak of 231 lynchings in 1892, the rate dropped to one death each in 1945, 1947 and 1951.

## 1952 IS THE FIRST YEAR WITHOUT A LYNCHING IN U. S.

### Other Violence Rises, Negro Report Says

Tuskegee, Ala., Dec. 30 (AP)—The United States went thru without a death from mob violence, Tuskegee institute reported today, giving the nation its first year in which no lynchings were recorded.

Despite a gradual decline in lynchings in the last decade, Tus-

kegee records show at least one mob death every year from 1951 back to 1882, when the Negro school started keeping its file.

F. D. Patterson, Tuskegee president, said "other rather similar forms of violence and lawlessness have not declined."

"There appears to be too many cases of unnecessary brutality and killing by officers of the law of persons suspected or guilty of crimes and a resurgence of the mob spirit as expressed in beatings, floggings, incendiaries, bombing, and the like," he said in an annual report. *Wad 12-31-52*

### Lists One Prevented

The 1952 report listed one "lynching prevented" during the year. It was in Clarendon county, South Carolina, where a mob allegedly tried to lynch a 28 year old Negro charged with killing a 16 year old Negro school girl and sentenced to five years in prison.

County officials and a Columbia, S. C., Negro newspaper denied that a lynching was attempted.

The Tuskegee report, protesting other "patterns of violence," emphasized recent bombings.

Dr. Patterson said this has been used mainly against Negroes "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, victims have been Negro leaders who "were thought to be too active in improving the status of their people."

### 68 Bombings in Four Years

Jewish religious and welfare institutions and at least one Catholic church have been other targets, he added, and "homes and property of other whites, who in one way or another have incurred the enmity of the bombers, have not been exempt from the blasts."

The report said that in the four years from 1949 thru 1952 there were at least 68 bombings or attempted bombings—49 against Negroes, 10 against whites and public institutions, eight against synagogues and Jewish schools and community centers, and one against a Catholic church.

Two victims died and Dr. Patterson said "chance" alone kept the death rate down.

The nation's first year without a lynching came after 4,726 persons had been put to death by mobs in the 70 years from 1882 thru 1951. Nearly three-fourths of them, or 3,431, were Negroes. The other 1,295 were white. From a peak of 231 lynchings in 1892, the rate dropped to one death each in 1945, 1947, and 1951.

# NATION HAS FIRST LYNCHLESS YEAR

No Deaths from Mob Violence Occur in 1952

By REX THOMAS

TUSKEGEE, Ala., Dec. 30 (UPI) —

The United States went through 1952 without a death from mob violence, Tuskegee Institute reported today, giving the nation its lynchless year ever recorded. "Despite a gradual decline in improving the status of their people,"

Tuskegee records show at least one mob death every year from 1951 back to 1882 when the famed church have been other targets.

But although the number of whites, who in one way or another lynchings has "finally fallen off to have incurred the enmity of the zero point," Tuskegee's President F. D. Patterson said "other rather from the blasts." similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report, "there appears to be too many cases of unnecessary brutalities and killings by officers of the law, 10 against whites and public law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiary bombing and the like."

He complained, too, that "even if officers of the law have alone been brave enough to thwart mob down. The two fatalities were action in some cases they refer Harry T. Moore, state secretary not to make this at known. The term 'lynching' is becoming more popular."

## One Prevented

The 1952 report listed one lynch-wrecked their home at Mims, Florida, and his wife. They were fatally injured in an explosion that

The nation's first lynch-less year came after 4,726 persons had been put to death by mobs in the 70 years from 1882 through 1951. Nearly three-fourths of them, or 3,431, were Negroes, the other 1,295 white.

A Clarendon County Official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in that case. The Lighthouse and Informer, a weekly newspaper at Columbia, reported "angry talk" in the Negro community, but said nothing about a mob.

Mrs. Jessie P. Guzman, director of research at Tuskegee Institute,

who compiled the report for President Patterson, said her information came from the Chicago Defender, a Negro newspaper.

## Bombings Listed

The lynching report, in protesting other "patterns of violence," focused attention especially on recent bombing.

Against Negroes, Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who

JAMES JONES  
Tuskegee records show at least Jewish religious and welfare institutions and at least one Catholic school started keeping its college president added, and

But although the number of whites, who in one way or another lynchings has "finally fallen off to have incurred the enmity of the zero point," Tuskegee's President F. D. Patterson said "other rather from the blasts."

## 68 Blasts Reported

In the four years from 1949 to 1952, the report said there were at least 68 bombings or attempted bombings—49 against Negroes, 10 against whites and eight against Jewish synagogues, schools and community centers, and one against a Catholic church.

Although only two victims have been brave enough to thwart mob down. The two fatalities were action in some cases they refer Harry T. Moore, state secretary not to make this at known. The term "lynching" is becoming more popular."

The industrial school, which was founded by Booker T. Washington, is situated in Alabama. It has made detailed studies of lynchings in the South for 39 years and its reports in that field have been accepted as

"generally representing the final conclusion of the Negro national community."

The "near-lynching," the Tuskegee report stated, occurred in Columbia, S. C., where relatives of a 16-year-old school girl prevented approximately 50 men from storming a jail to attack William Miller, who allegedly shot the student after an assault attempt.

The report indicated considerable restiveness over the increase of bombings, including one here. Bombings, in which members of both races were involved as actual and potential victims, occurred in 13 States. Such deaths as resulted from this type of attack do not "fall within the framework of consideration" for listings as lynchings in the Tuskegee report.

From a peak of 231 lynchings in 1892, the rate dropped to one death each in 1945, 1947 and 1951. Bombing as a weapon of death or terrorism is "confined to no section of the country," the Tuskegee report said, but "recently it has become more prevalent in the South."

The 68 incidents in the 1949-52 period occurred, Tuskegee said, in the following states and cities:

Alabama — Birmingham, Crossville, Cottonwood, Dothan, Phenix City.

California — Los Angeles.  
Florida — Bartow, Jacksonville, Orlando, Miami, Mims.

Georgia — Atlanta, Bainbridge, Rome.

Louisiana — New Orleans.  
(New Orleans police Tuesday said they could not recall any bombing incidents here in the past four years.)

Missouri — Kansas City.

Illinois — Cairo, Chicago.  
Ohio — Warren.

North Carolina — Charlotte, Oxford.

Pennsylvania — Philadelphia.  
Tennessee — Chattanooga, Nashville.

Texas — Dallas.  
Virginia — Ashland, Norfolk.

## No Lynchings Reported in 1952

For the first time in 70 years, no lynchings occurred in the United States during 1952, the department of research and records of Tuskegee Institute reported yesterday. The unit specializes in such statistics.

The Tuskegee report said that while borderline cases of successfully prevented lynchings and bombing cases were noted, "no lynchings, as such" could be charged.

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SEE - 27d(2) 1953

No Lynchings in 1952

10 Bombings Reported  
One in a New York Bar

Herald Tribune  
Mon. 5-4-53  
P. 30  
New York, N.Y.

8483

~~Bombs replace rope—~~

# No lynchings listed in U. S. during year

BY AL LANIER

TUSKEGEE, Ala., Dec. 31—(AP)—Mob action claimed no lives in the United States during 1952, said Tuskegee Institute in the first lynch-free report since it began keeping records in 1882.

No dates or details on the above bombings were listed.

But "other rather similar forms of violence and lawlessness have not declined," F. D. Patterson, president of the famed Negro school declared in his annual lynch report last night.

He said there appear to be too many instances of police "brutality and killing" of persons suspected or guilty of crimes, "and a resurgence of the mob spirit as expressed in beatings, floggings, incendiary bombing and the like."

The 1952 report especially deplores bombings in its "patterns of violence."

*Wed 12-31-52*  
THIS WEAPON has been used mainly where Negroes have moved or attempted to move into white neighborhoods, Patterson noted. But blasts have also occurred at the home of white "who have in some way incurred the enmity of the bombers."

Jewish religious and welfare institutions have been bombed along with at least one Catholic Church, Patterson added.

For the four years from 1949 through 1952, the report listed at least 68 bombings or attempted bombings—49 against Negroes, 10 against whites and public institutions, eight against Jewish Synagogues, schools and community centers, and one against a Catholic Church.

Two victims died. On Christmas night, 1951, Harry T. Moore, Florida secretary for the National Association for the Advancement of Colored People, and his wife, were fatally injured in the explosion that wrecked their home at Mims, Fla.

Chance alone has kept the death rate from being higher, Patterson declared.

He said the wave of bombings points out "the big task of education in human relations still to be accomplished in our democracy."

Tuskegee reports show 4726 persons died from mob violence in the 70 years, 1882 through 1951, nearly three-fourths of them Negroes.

The 68 incidents in the 1949-52 period, Tuskegee said, occurred in

Patterson said 68 cases of bombings, most of them connected with racial and religious tensions, were reported over the four-year period from 1949 to 1952. He said 49 were directed against Negroes. 10

against Whites and public institutions, at least eight against Jewish synagogues, schools and community centers, and one against a Catholic church.

# No Lynchings Year Recorded For First Time

## Tuskegee Report Points, However, To Other Violence

By REX THOMAS

TUSKEGEE, Ala., Dec. 30.—The United States went through 1952 without a death from mob violence. Tuskegee Institute reported today, giving the nation its first lynch-less year ever recorded.

Despite a gradual decline in lynch-killings for the past decade, Tuskegee records show at least one mob death every year from 1951 back to 1882 when the famed Negro school started keeping its file.

But although the number of lynchings has finally fallen off to zero point, Tuskegee's President F. D. Patterson said "other rather similar forms of violence and lawlessness have not declined."

### Officers Attacked

"Indeed," he said in his annual report, "there appear to be too many cases of unnecessary brutality and killing by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiary bombing and the like."

He complained, too, that "even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term 'lynching' is becoming more and more popular."

The 1952 report listed one "lynching prevented" during the year. It was in Clarendon County, S. C., where a 28-year-old Negro was charged with killing a 16-year-old Negro school girl and ultimately given five years in prison.

Tuskegee's version of the incident said members of the girl's family "had to talk fast" to keep a group of about 50 men "from storming the county jail and lynching the prisoner after his arrest last February."

Patterson said 68 cases of bombings, most of them connected with racial and religious tensions, were reported over the four-year period from 1949 to 1952. He said 49 were directed against Negroes. 10

### No Violence Reported

A Clarendon County official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in that case. The Lighthouse and Informer, a weekly newspaper at Columbia, reported "angry talk" in the Negro community but said nothing about a mob.

Mrs. Jessie P. Guzman, director of research at Tuskegee Institute who compiled the report for President Patterson, said her information came from the Chicago Defender, a Negro newspaper.

The lynching report, in protesting other "patterns of violence," focused attention especially on recent bombings.

Against Negroes, Dr. Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who were thought to be too active in improving the status of their people."

Jewish religious and welfare institutions and at least one Catholic church have been other targets, the college president added, and "homes and property of other whites, who in one way or another have incurred the enmity of the bombers, have not been exempt from the blasts."

## Lynchless 1952 Sets a Record

### In U. S. Annals

*Wed 12-31-52*  
Tuskegee Reports Fall In Mob Violence

TUSKEGEE, ALA., Dec. 30.—

The United States went through 1952 without a death from mob violence, Tuskegee Institute reported today, giving the nation its first lynchless year ever recorded.

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lessness have not declined."

### Case of Prevention

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Tuskegee's version of the incident said members of the girl's family "had to talk fast" to keep a group of about 50 men "from storming the jail and lynching William Felder after his arrest last February."

A Clarendon County official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in the Felder case. The Lighthouse and Informer, a weekly newspaper at Columbia, reported "angry talk" in the Negro community, but said nothing about a mob.

Mrs. Jessie P. Guzman, director of research at Tuskegee Institute who compiled the report for President Patterson, said her information came from the Chicago Defender, a Negro newspaper.

The lynching report, in protesting other "patterns of violence," focused attention especially on recent bombings.

Against Negroes, Dr. Patterson said, this year has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who were thought to be too active in improving the status of their people."

Negroes Not Alone

Jewish religious and welfare institutions and at least one Catholic church have been other targets, the college president added, and "homes and property of other whites, who in one way or another

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231

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in our

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231

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231

# First Lynchless Year Recorded for U. S.

TUSKEGEE, Ala., Dec. 30 (AP)—

The United States went through 1952 without a death mob violence. Tuskegee Institute reported today, giving the Nation its first lynchless year ever recorded.

A gradual decline in lynchings has been noted in the past decade. *Per*.

Tuskegee's President F. D. Patterson said "other rather similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report, "there appears to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like." *W. A. T. 12-31-52*

He complained, too, that "even where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term 'lynching' is becoming more and more unpopular." *12-31-52*

The report listed one "lynching prevented." It was in Clarendon County, South Carolina, where William Felder, 28-year-old Negro, was charged with killing a 16-year-old schoolgirl, Vera K. Brown, and ultimately given five years in prison.

Tuskegee's version said members of the girl's family "had to talk fast" to keep a mob "from storming the jail" last February.

Clarendon County Court Clerk P. T. Braetam said he knew of no mob violence or threats in the Felder case.

## Year Free Of Lynching Reported In Annual Survey By Institute Officials

For the first time in 70 years—since records of lynchings have been compiled—the nation had no reported lynchings during 1952. It was shown in the annual year-end report of the Department of Records and Research of Tuskegee Institute. But, said the report signed by President F. D. Patterson, bombings and other forms of violence have shown no decline.

The report also set out that one case of attempted lynching was frustrated during the past year, citing a case at Columbia, S. C., where relatives of a 16-year-old Negro schoolgirl had to talk fast to keep about 50 men from storming the county jail and lynching William Felder, who allegedly shot the young student to death after a rape attempt.

Turning to other forms of violence during the past year, the report continued.

In a report as brief as this, it is not possible to present data in all these patterns of violence, but, we think it better to focus attention upon at least one of them, the use of the bomb.

"During the past few years, these activities have been directed against homes, schools, religious and other community institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

"Bombing is confined to no section of the country. Recently, it has become more prevalent in the South.

"For the four years, 1949-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions; these were directed against

## Discrimination Not Lessened

When Tuskegee Institute published its annual report on 1952 lynchings there was much satisfaction expressed in the South. And with justice ~~exists~~ used.

For there was not one lynching to be reported. This was the first time in 70 years that the lynching record was completely clean. There had been a growing decrease in such crimes. Whereas there have been 896 cases in the United States since 1913, there have been only eight since 1948.

While lynching was predominately a Southern problem, it was not entirely so. Loose thinking and snap judgments have given substance to the mistaken notion that lynching is a Negro problem and found only in the South. There have been lynchings other than Negro and in other parts of the nation.

*P. 4 Dec. 28, 1953*

**MUCH CRITICISM** is blown down on us from the North where, consciously or unconsciously but often with complacency, people charge us with misdeeds in civil rights of which they themselves are also guilty.

Discrimination is not just a Southern sin. It is a national sin.

*B. J. hair alg.* When the Social Action Department of the National Catholic Welfare Conference stated in its report for 1952 that discrimination against the Negro has not lessened since the war, it was speaking of and to the whole nation, not just the South.

The so-called "Negro problem" is no longer just in the South. We still have some 10 millions of the Negro race living in the South, but there are some five millions living in other parts, especially in concentrated areas in large Eastern, Central and Western cities. There is a constant marked migration of Negroes from rural to urban areas and from the South to other sections of the country.

It is past time for Northern reformers to stop wagging their fingers at us, and start wagging them at themselves.

\* \* \* \* \*

**THERE** is also a lesson for us in the South. Every time mention is made of a civil-rights program, we are too ready to regard it as directed at us and we start screaming "interference."

We must remember that the need for a civil-rights program is a national need. It covers Negro discrimination in the South, but also Negro discrimination in the East, Central and Far West. It also covers Mexican discrimination in the Southwest, Chinese and Japanese discrimination in the East and Far West, and Protestant, Jewish and Catholic discriminations still found throughout the nation.

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# TUSKEGEE MAKES 1952 REPORT ON LYNCHING, BOMBING ETC.

## No Lynching Noted In Entire Year Of 1952

Continuously since 1913, Tuskegee Institute has issued an annual report to the nation on the subject of lynching, thus spotlighting public attention on this national problem. For the period, 1913-1952, our records show 896 cases of lynching, broken down by decades as follows:

### LYNCHINGS BY DECADES 1913-1952

| Years     | Number | Pct.  |
|-----------|--------|-------|
| 1913-1922 | 597    | 66.6  |
| 1923-1932 | 175    | 19.5  |
| 1933-1942 | 103    | 11.5  |
| 1943-1952 | 21     | 2.3   |
| Total     | 896    | 100.0 |

Tuskegee Institute has no lynchings pressed in beating, floggings, lynchings, as such, to report for 1952, according to criteria used in our Department of Records and Research. In a report as brief as this, it is not possible to present data on all. This is the first time such a report of these patterns of violence, but we has been made in the 70 years of think it pertinent to focus attention lynchings record keeping, 1882-1952, upon at least one of them, the use of The 5 years, 1948-1952, show a total of 8 cases.

### BOMBINGS AND ATTEMPTED BOMBINGS

One case of "Lynchings Prevented" was listed. From Columbia, South Carolina came the report that in March of this year the relatives of a 16-year-old Negro school girl had to talk fast to keep about 50 men from storming the county jail and lynching William Felder, about 20, who allegedly shot the young student to death, after a rape attempt. We find that even where officers of the law have been brave enough to thwart mob ~~attempts~~, in some cases, prefer not to make this fact known. The term "lynching" is becoming more and more unpopular.

However, in this our 40th annual report, it appears important to the welfare of the country to state that while lynching as one form of extra legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined. Indeed, there appears to be too many ~~cases~~ of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as ex-

Occupants of other bombed homes have been more fortunate and no fatalities have been reported from houses of religious worship. Only chance has kept human casualties low, although property destruction has been high.

### HOT IN ONE SECTION

Bombing is confined to no section of the country. Recently, it has become more prevalent in the South. While the data presented below are not intended to be a complete coverage of all cases of bombing (those connected with strikes and other labor disputes are not included here) they are indicative of the big task of education in human relations still to be accomplished in our democracy.

For the 4 years, 1949-1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tensions: 49 of these were directed against Negroes; 10 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers and 1 against a Catholic church.

Bombings have happened in the following places: Alabama-Birmingham, Crossville, Cottonwood, Dothan, Phenix City, California-Los Angeles; Florida-Bartow, Jacksonville, Orlando, Miami, Mims; Georgia-Atlanta, Bainbridge, Rome, Louisiana-New Orleans; Missouri-Kansas City; Illinois-Cairo, Chicago; Ohio-Warren; North Carolina-Charlotte, Oxford; Pennsylvania-Philadelphia; Tennessee-Chattanooga, Nashville; Texas-Dallas; Virginia-Ashland, Norfolk.

This makes a total of 13 states and 27 cities and towns.

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The potential for destruction of life and property by this form of violence is incalculable. To-date, two lives have been snuffed out—that of Mr. and Mrs. Harry T. Moore of Mims, Florida on December 25, 1951.

## Tuskegee Reports 1st "Lynch-Free" Year Since 1882

TUSKEGEE, Ala. — (INS) — Tuskegee Institute today reported 1952 as the first "Lynch Free" year since the famed Negro school began recording such cases 70 years ago.

The Tuskegee Department of Records and Research also reported that the decade stretching from 1943 through 1952 saw fewer than four per cent as many lynchings as the ten years from 1913 through '22.

The Institute began its annual reporting of lynch cases in 1913 to spotlight public attention on the problem, and the first ten reports added up to 597 lynchings, as compared to 21 for the decade ending tomorrow night.

Eight lynchings are listed for the five years from 1949-'52.

With this year free of actual lynchings, Institute records describe one "attempted lynching" at Columbia, S. C.—where relatives of a slain, 16-year-old Negro girl talked a gang of men out of hanging William Felder in prison for the slaying.

Institute President Dr. F. D. Patterson says, however, that while lynching seems declining steadily, other similar forms of violence and lawlessness are not. Dr. Patterson states:

"While the lynchings are decreasing, the past few years have seen a tendency toward beatings, floggings and other forms of violence by organized groups and posses, of police brutality, and some instances where officers have killed Negro prisoners while arresting them or taking them to prison."

Dr. Patterson pointed to bombings and attempted bombings as other forms of lawlessness which have not declined with the lynchings themselves.

Tuskegee Report Warns

## Bombing Replaces Lynching In Violence Against Negro

Tuskegee Institute, Ala. (ANP). Bombing may replace lynching as a form of violence against Negroes. This idea was indicated last week as Tuskegee Institute announced its 40th annual report on lynchings in America.

Lynch mob violence has virtually disappeared in the United States, according to the report. There were no lynchings during 1952, and there was only one case in which a possible lynching was prevented. This occurred in Columbia, S. C.

Declining the lynching "is becoming more and more unpopular," the report warned.

"However, it appears important to the welfare of the country to state that while lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined."

"Indeed, there appears to be too many cases of unnecessary killing by officers of the law or persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

The reports then made a specific statement on "bombings and attempted bombings." Bomb incidents, it said, have occurred in 13 states and 27 cities and towns during the past four years. There were 68 instances, with 49 against Negroes. The report excluded bombings in strikes. Of bombing, it said:

"Bombing is confined to no section of the country. Recently, it has become more prevalent in the South. While the data presented here are not intended to be a complete coverage of all cases of bombing, they are indicative of the big task of education in human relations still to be accomplished in our democracy."

Dr. F. D. Patterson, president of Tuskegee, signed the report. Since 1914, when the first report was made, there have been 896 lynchings in the United States. The year 1952 was the first in which not a single lynching occurred. During the past five years there have been only eight lynchings.

## Year Free Of Lynchings Reported In Annual Survey By Local School

For the first time in 70 years—since records of lynchings have been compiled—the nation had no reported lynchings during 1952, it was reported yesterday in a report of the Department of Records and Research of Tuskegee Institute. But, said the report signed by President F. D. Patterson, bombings and other forms of violence have shown no decline.

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citing a case at Columbia, S. C., where the relatives of a 16-year-old Negro school girl had to talk last to keep about 50 men from storming the county jail and lynching William Welden, alleged to be the young student to death after a rape attempt.

Turning to other forms of violence during the past year, the report continued:

In a report as brief as this, it is not possible to present data in all these patterns of violence, but we think it pertinent to focus attention upon at least one of them, the use of the bomb.

"During the past few years, these activities have been directed against homes, schools, religious and other community institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

"Bombing is confined to no section of the country. Recently, it has become more prevalent in the South.

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8485

# U. S. Records No Lynchings in '52 For First Clean Slate in History

By REX THOMAS

TUSKEGEE, Ala., Dec. 30—(AP)—The United States went through 1952 without a death from mob violence, Tuskegee Institute reported today, giving the nation its first lynchless year.

but said nothing about a mob.

Despite a gradual decline in lynch-killings for the past decade, Tuskegee records show at least one mob death every year from 1951 back to 1882 when the famed Negro school started keeping its file.

The lynch report, in protest against other "patterns of violence," focused attention especially on recent bombings.

Against Negroes, Dr. Patterson said, this weapon has been mainly "where members of race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders "thought to be too active in improving the status of their people."

"Indeed," he said in his annual report, "there appear to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

He complained, too, that "where officers of the law have been brave enough to thwart mob action, in some cases they prefer not to make this fact known. The term 'lynching' is becoming more and more unpopular."

The 1952 report listed one "lynching prevented" during the year. It was in Clarendon County, S. C., where a 28-year-old Negro was charged with killing a 16-year-old Negro school girl and ultimately given five years in prison.

Tuskegee's version of the incident said members of the girl's family "had to talk fast" to keep a group of about 50 men "from storming the jail and lynching" the prisoner after his arrest last February.

A Clarendon County official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in that case. The Lighthouse and Informer, a weekly newspaper at Columbia, reported "angry Tuskegee records show at least one death every year from 1951

back to 1882, when the famed Negro school started keeping its file.

But where the number of lynchings has fallen off finally to the zero point, Dr. F. D. Patterson, Tuskegee's president, said that "other rather similar forms of violence and lawlessness have not declined."

"Indeed," he said in his annual report, "there appear to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

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The 1952 report listed one "lynching prevented" during the year. It was in Clarendon County, South Carolina, where a 28-year-old Negro, charged with killing a 16-year-old Negro school girl, Vera K. Brown, ultimately received a five-year prison term.

Tuskegee's version of the incident said members of the girl's family "had to talk fast" to keep a group of about fifty men "from storming the jail and lynching" William Felder after his arrest last February.

A Clarendon county official, P. T. Braetam, court clerk, said he knew of no mob violence or threats at the jail or anywhere else in the Felder case.

Mrs. Jessie P. Guzman, director of research at Tuskegee Institute who compiled the report for President Patterson, said her information came from The Chicago Defender, a Negro newspaper.

## Bombings Are Cited

The lynch report, in protest against other "patterns of violence," focused attention especially on recent bombings.

Despite a gradual decline in lynch killings for the last decade, Tuskegee records show at least one death every year from 1951

mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods." In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

Jewish religious and welfare institutions and at least one Catholic church have been other targets, the college president added, and "homes and property of other whites, who in one way or another have incurred the enmity of the bombers, have not been exempt from the blasts."

In the four years from 1949 through 1952, the report said there were at least sixty-eight bombings or attempted bombings—forty-nine against Negroes, ten against whites and public institutions, eight against synagogues, schools and community centers, and one against a Catholic church.

Although only two victims died, Dr. Patterson said "chance" alone had kept the death rate down. The two fatalities were Harry T. Moore, state secretary of the National Association for the Advancement of Colored People in Florida, and his wife. They were fatally injured in an explosion that wrecked their home at Mims, Fla., on Christmas night in 1951.

The nation's first lynch-less year came after 4,726 persons had been put to death by mobs in the seventy years from 1882 through 1951. Nearly three-fourths of them, or 3,431, were Negroes; the other 1,295 were white.

From a peak of 231 lynchings in 1892, the rate dropped to one death each in 1945, 1947 and 1951.

# No Mob-Violence Deaths Reported In The United States for Year 1952

## But Brutality Still Is Present

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### Mob Spirit Still Exists

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### Clerk Denies Violence

A Clarendon County official, County Court Clerk P. T. Braetam, said he knew of no mob violence or threats at the jail or anywhere else in the Felder case.

The Tuskegee report, in protesting other "patterns of violence," focused attention especially on recent bombings.

Against Negroes, Dr. Patterson said, this weapon has been used mainly "where members of the race have moved or attempted to move into what were considered white neighborhoods."

In a few instances, he continued, the victims have been Negro leaders who "were thought to be too active in improving the status of their people."

### Two Died In Florida

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## Lynchings

There is so much about this Roman holiday we occasionally take here in the United States, which is termed lynching, the ordinary folk don't understand, we decided we would talk about it a little this week, just at a time when there is a great hubbub about the final extinction of lynching in this country. Statistics compiled at Tuskegee and released on the first of each year, and which have conflicted violently with statistics compiled by the National Association of Colored People almost every year, alleges there has not been a single lynching in the United States during 1952.

As we said a moment ago there has been much conflict about the Tuskegee figures for many moons. The figures compiled down in Alabama are always charged as omitting some fully dressed lynching parties, and often times figures compiled by the NAACP did not include lynchings noted in reports made by the National Civil Rights Congress.

The whole trouble is vested in the interpretation of what a lynching is. Webster's dictionary, in revealing the background to the term "lynching," says the origin of the term is very doubtful, but informs us that in the early days of America a man who lived in Virginia named Lynch took the law in his own hands so many times before organized society got complete control of things that his neighbors called such unlawful brutalities lynchings.

It seems as though that it is right here we start thinking wrongly in our discussion of this term. Most people assume there has to be a mob of people to perform a lynching and we immediately classify murder and lawlessness as something else when the act is committed by one man, an authority Webster advises the first lynchings were committed.

Webster also says lynching is the infliction or punishment without due process of law, and if we are to cling to this last concept then a lynching does not necessarily need to end in inhuman slaughter. Whenever we destroy a constitutional right of an individual without due process of law, we have lynched that individual of a right, if we understand the last connotation placed upon this act by this eminent authority on words and their meanings.

If Webster is correct, a citizen who still retains life can be lynched of his property, his literacy, his health, his right to work and his right to marry whom he chooses, for whenever punishment is inflicted by unauthorized persons and without due process of law a lynching has occurred, and we would like to refer those who are jubilant about what is termed as the total absence of lynching in 1952 to this concept of death as it relates to the peace, tranquillity and happiness of those who still have life in their bodies.

We suspect many of our readers will be surprised to know right here in Oklahoma during the years between 1889 and 1924, eighty-eight white persons were lynched, while during the same period only forty blacks were victims of the rope and faggot. This will revolutionize your thinking entirely, for many are of the opinion that only Negroes are lynched. Oklahoma has a record of lynching more than twice as many whites than blacks.

Back in the early days of the Territories, many white engaged in cattle rustling and we suspect many of the 8 just reported met their death at the hands of one or two for in the cattle country in the early days the wors

crime in the catalogue of law violations was to steal cows. The early day settlers then said, "Kill a cattle thief wherever you find him, for if he'll rustle the other fellow's cattle he'll rustle mine."

If we accept the broad view given to lynching by Webster, we discover that lynching, the spirit to set aside the law without color of authority, is still present in the land. We think positive evidence of the presence of lynching on the American scene is discovered when we find Governor Jimmy Byrnes of South Carolina, threatening to disregard the law and the constitution, when he says Irrespective of the Supreme Court decision in the segregation cases, South Carolina will still lynch Negroes of their right to an equal education. South Carolina launched the "nullification" program during the days of Fort Sumpter and it plans agains to escape from responsibilities of its oath by killing the right of the black man to parity in literacy with his white neighbors.

We think the spirit to lynch has now dignified itself in the courtrooms of America. Lynch law was unquestionably present down in Florida last week when a white jury was not permitted by the court to hear the testimony of a helpless black woman, whose attorney wanted to have the jury hear the mitigating circumstances under which this black woman shot her tormentor, the white man who had become the father of her half white, bastard daughter. The judge did not feel this was competent testimony to be presented to the jury in a state that forbids whites and blacks to marry, but at the same time winks its eye at the after sun-down license white men take, sometimes at pistol point, with amply black women.

Here is an instance where America, which so proudly seems to feel it has the greatest judicial system, could accept legal wisdom from the African. A Portuguese missionary who sometime ago returned from the Dark Continent said in African courts all evidence is admissible. The only difference is that in the African court the witness who commits perjury find himself in more difficulty than the litigant in whose case he entered. Surely a legal lynching occurred when Mrs. Ruby McCullom was not permitted to review at length the sordid life she had had to live for six years with Dr. C. Leroy Adams, and the fact that he drew a gun on her several minutes before his death in an effort to force her into sexual relationship with him. Lynch law stalked boldly through the courtroom when the presiding judge assumed he must condemn a black woman to death in order that he might save the doubtful reputation of a criminal.

And we're definitely certain it is the spirit of the lynch

prevented the apprehension following two months of the criminals who slew Herman T. Moore and his wife at Miami, Florida. All the world knows how NAAOP official was brutally slain by hoodlums on his profession in question. Whenever the total community refuses to divulge information regarding violence and murder the community is guilty. In the Moore homicide only an imbecile would assume that no one among the few educated Negroes of the community knows the identity of the criminals who took the life of Herman T. Moore. Again we find the mob and lynch law exalted to a dignified position during 1933 as released to visit this type of violence and murder upon other Negro citizens who happen to have the courage and fortitude

the *Journal of the Royal Society of Medicine* and *Medical News* have been suspended.

**Fightness of Herman T. Moore.** This morning of December 10, he had been lynched of tranquility and happiness, for they are as long as the murderers of this Negro, and will remain as long as the same sword of Damocles hangs over their head. No man has ever intimated since the death of Mr. Moore that he was guilty of any criminal act. All that this man was guilty of was, as we thought that he and his ethnic kin in the state of Florida have citizenship rights of parity with the majority group of southern society. The mob held by its foul violence he did not have that right, and invisible government is up to this hour supported by the state in the continuation of this type of terrorism.

Of course we understand and know that all of this palavering around about the extinction of lynching is salvoes listed to impress the Congress in the belief there is no need for anti-lynching legislation. There will be bills introduced to this end, and at the same moment there will be on hand Southerners to present the Nebraska argument as though no additional legislation is necessary. Legal lynching is as unquestionably present in the contrivances of the law as law itself, as we have court decisions such as developed in the *Varonville* Seven case, the Rose Ingram disgrace and a thousand other in-

## Lynchings In 1952

(From The Central Christian Advocate)

TUSKEGEE institute which makes a careful research on lynchings in the United States, reports that there have been no lynchings as such during the year of 1952. This is the first time such a report has been made in the 70 years of lynching record keeping by the institution. The Institute reports that from 1913 to 1952 there have been 896 cases of lynching.

It is interesting to note that the breakdown of lynching into decades reveals that each decade has shown a decisive decline. From 1913 to 1922 there were 597; from 1923 to 1932 there were 175; from 1933 to 1942 there were 102; and from 1943 to 1952 there were 21. While the figures are exceedingly encouraging from the angle of lynching, it should be kept in mind that there are other forms of brutality which seem to be on the increase and can be as hideous as lynching.

Take for example, the horrible amount of police brutality where individuals suspected of crimes are beaten and killed. The fact that these police represent the law and thus their violence and lawlessness receive legal sanction is highly significant. This is particularly true where persons are murdered and nothing is done about it. In many instances these cases are not even brought to public attention.

The reports reveal also that there is a resurgence of the mob spirit expressed in beatings, floggings, incendiary bombing and the like. During the last few years, the report points out, bombing activities have been directed against homes, schools, religious and other institutions. As they relate to Negroes, bombing of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods. In a few cases, bombing has occurred where Negro leaders were thought to be too active in improving the status of their people.

In regard to religion, Jewish religious and welfare institutions and at least one Catholic church have been the targets. Homes and property of other whites, who in one way or another had incurred the enmity of bombers, have not been exempt from the blasts.

The report rightly observes that the potential for destruction of life and property by this form of violence is incalculable. We recall that it was on Christmas day in 1951 that Harry T. Moore and his wife of Mims, Fla., were victims of a bombing. Occupants of other bombed homes have been more fortunate, although property destruction has been high.

This brutality is by no means a sectional problem; recently it has become more prevalent in the South. In the last four years, the report discloses, at least 68 instances of bombings or attempted bombings were recorded. They were mainly connected with racial and religious tensions. Of this number, 49 were directed against Negroes, 10 against white and public institutions; at least eight against Jewish synagogues, schools and com-

munity centers and one against a Catholic church.

While we are convinced that there have been tremendous gains in the field of human relations in the United States in recent years, we still have a long way to go in the development of a truly democratic society. The time is now when people of good will should band themselves together in making America truly the "land of the free and the home of the brave." Free from morbid fears that enslave the human mind and that flame into incredible hostilities, and brave enough to live as free men.

## Kansas City Police Lieutenant Quits

### Over Jim Crow

*Resigned*

KANSAS CITY, KAN. — (AP) — Kansas City's newly appointed Negro police lieutenant has resigned.

P. 3

Lt. Leon Jordan submitted his resignation and expressed disappointment over duties given him and said he felt it was in the best interest of his race and the police department for his resignation. In *Letter to Bernard Brannon*, chief of police, Lt. Jordan said in part:

"When I was promoted to Lieutenant, I was given the impression that I would be a police officer with duties assigned without regard to race, religion or color. However, when I reported to duty . . . I learned that I was to be in charge of a detail of 12 police officers, all Negroes, working on scattered shifts that cover 24 hours of the clock. The duties that I now am performing are the same that I performed as a sergeant. In other words, I am a lieutenant in name only with no visible benefit to police efficiency."

"It is my fervent desire to be considered as an individual and advanced according to my proven ability, not given empty titles in lieu of actual duty for which I am qualified."

*12-6-52*  
Under these circumstances, I feel that I must, to protect my own self respect and in the best interest of my race and country, offer my resignation from the Kansas City police department, effective immediately."

A veteran of about 10 years service in the police department, Jordan plans to enter private business or return to Liberia where he

organized the police force in that country.

While with the department, Jordan was cited on several occasions for efficiency in his work.

## First Time In 70 Years

# Tuskegee's Report Shows No Lynchings

An annual report from Tuskegee Institute released Wednesday shows that there were no lynchings in the nation during the year, 1952. The Alabama institution is sure a yearly report on the number of lynchings throughout the country.

Special emphasis was placed on bombings and attempted bombings as a recent pattern of mob violence. It was pointed out that bombings have been directed against homes, schools, religious and other community institutions.

"As they relate to Negroes," Dr. F. L. Patterson, president of the school, said, "Tuskegee has no lynchings, as such to report for 1952, according to criteria used by our Department of Records and Research. This is the first time such a report has been made in the 70 years of lynching record keeping from 1882 to 1952."

The report did show one case of "lynchings prevented" in South Carolina last March. It was noted that there has been no decline in other forms of violence.

Dr. Patterson said, "In this, our 39th annual report, it appears important to the welfare of the country to state that while lynching as one form of extra-legal punishment seems to be steadily declining, other rather similar forms of violence and lawlessness have not declined."

"Indeed, there appear to be too many cases of unnecessary brutality and killings by officers of the law of persons suspected or guilty of crimes; and a resurgence of the mob spirit as expressed in beatings, floggings, incendiary, bombing and the like."

In the period from 1913 to 1952, the Tuskegee Report showed a total of 896 lynchings. Eight of

them occurred in the five years from 1948 to 1952.

Dr. Patterson said, "Bombings of homes and other property has taken place mainly where members of the race have moved or attempted to move into what were considered white neighborhoods."

The Tuskegee report mentioned the fatal bombing of the home of Mr. and Mrs. Harry T. Moore of Mims, Fla., Dec. 15, 1951, which claimed the life of the NAACP official and his wife.

While more prevalent in the South, the report showed that bombing is confined to no specific section of the country.

Dr. Patterson said:

"For the 70 years, 1949 to 1952, at least 68 instances of bombing or attempted bombing were recorded, connected in the main with racial and religious tension. Forty-nine of these were directed against Negroes; 11 against whites and public institutions; at least 8 against Jewish synagogues, schools and community centers; and 1 against a Catholic church."

Bombs were exploded in a total of 13 states and 27 cities and towns.

8487

# REVIEWING THE NEWS

By WILLIAM GORDON

Managing Editor, Atlanta Daily World, On Leave

## Lynchings And The New Year

Tuskegee Institute, through its Department of Records and Research, reports our first "lynch-free" year since 1882. This is very encouraging ~~report to get an entering one~~ and this may point to an indication that Americans are growing up and that the protection of the individual in our states and municipalities is of high explosives. That is, the really becoming a reality for all concerned. This is very important. At least we have taken firm steps to rid ourselves of one of the most degrading shames of a civilization — that of public brutality, limb has been supplanted by the ~~re-taking the lives of innocent people without the use of the law~~ sort to the bomb.

However, on the other side of the ledger might be painted a much darker picture. Following the Tuskegee report on lynching, Dr. F. D. Patterson, president of the famed institution made this observation: "While the lynchings are decreasing, floggings and other forms of violence by organized groups and posses, of police brutality, and some instances where officers have killed Negro prisoners while arresting them or taking them to prison." Doctor Patterson also pointed to bombings and several attempted bombings by hoodlum groups bent on maintaining the pattern of white supremacy and bigotry. ~~Most of the bombings have occurred~~ where Negroes have attempted to move into so called white neighborhoods in desperate search for housing.

The pessimist would take the view that such uprisings would offset the progress we have made through race relations. But when we take into consideration how far we have come in the past decade, dealing with what has long been a semi-literate and prejudiced populace, our progress has been wonderful. This is not to say that we have reached the goal or obtained all the privileges we are entitled to. We still have a long way to go and a short time in which to make it. The Tuskegee report does, like many other things during the past decade, give us hope and courage to work and continue to fight for first-class citizenship. Negro Americans should be the happiest people in the world today. We have advanced further than any other race or nationality within a short span of years. Wherever we turn and wherever we go, we still have the most valuable weapon of time on our side. This will eventually solve all problems that man is unwilling or too prejudiced to do anything about. The year 1953 may be just another calendar year, but the span of time involved will be most beneficial to us.

## Lynching Takes New Form

THE decline in lynching in the United States has reached the point ~~as this record to~~ two days prior to the expiration of the year — where 1952 promises to be the nation's first recorded lynchless year.

Meantime, however, the drop in lynchings as such to the vanishing point is substantially offset by the increase in mob violence by the use of high explosives. That is, the crude practice of inflicting extra-lethal punishment via the rope and limb has been supplanted by the ~~re-taking the lives of innocent people without the use of the law~~ sort to the bomb.

The methods of the mobs have changed but the spirit and motives have not declined.

All of this is definitely indicated in the 40th annual report on lynching just issued by the Department of Records and Research of Tuskegee Institute, which records no lynchings for 1952, the first time such a thing has been made in the 70 years since 1882.

Education and better law enforcement have played their part in bringing about the decline, but the change of mob technique also has been a factor in the equation.

The records show that the 40-year period from 1913 through 1952 accounted for 896 lynchings, with a substantial decline in the figures for each succeeding decade.

Tabulated, the statistics show that the decade 1913-1923 produced 597 mob deaths; 1923-1932, 175; 1933-1942, 103, and 1943-1952, only 21.

The five years, 1948-1952, show a total of only eight cases.

As Tuskegee was careful to point out, while lynchings seem to be steadily declining, other rather similar forms of violence and lawlessness too prejudiced to do anything about. The year 1953 may be just another calendar year, but the span of time involved will have not declined.

Particular attention is called to the

apparent increase of unnecessary killings by officers of the law of persons suspected or guilty of crimes. It is also noted that there seems to be a "resurgence of the mob spirit as expressed in beatings, floggings, incendiarism, bombing and the like."

Within recent years America has been made familiar with this type of violence, growing out of the lynch-spirit.

The report strikes a very timely note in pointing to the unnecessary killings on the part of police officers. This is a problem which bears heavily upon the Negro population and one toward which the minority group cannot afford to remain complacent.

It can and will be met by the ballot box.

## The Lynchless Year

NOT A single person, white or colored, was murdered by a mob anywhere in the United States in 1952, thus ending the evil spell of lynching which has held the nation in its grip since 1882, when Tuskegee Institute started recording these fiendish occurrences.

At the turn of the century there were three or four lynchings every week (one-third of the victims were white), but since World War II, mob murders declined to one or two a year.

This gratifying change in the American scene has been due to increased education and general enlightenment, better law enforcement, aroused public conscience and persistent agitation for remedial legislation.

This welcome report, however, does not warrant complacency nor relaxation of vigilance, because there were during 1952, some disturbing and outrageous instances of floggings, beatings, bombings and police brutality, although admittedly they were isolated and by no means indicative of any trend.

As long as a single citizen is unsafe or imperiled in any way, we must be on the alert against all outbursts of bigotry, sadism and primitivism, and see that all violators of civil rights are brought promptly to book.

Nevertheless, it is a source of gratification that a nation of 158 million people

of all kinds and classes occupying ~~territory~~ ~~of three million square miles~~ ~~without one~~ ~~has completed an entire year~~ ~~without one~~ ~~lynching. It is indicative of considerable cultural advancement.~~

## Patterns Of Race Violence Changing

In our recent editorial concerning the Tuskegee Institute report of no lynchings for 1952, we referred to the decline in lynching and the increase in other forms of violence — notably bombings.

We indicated that the very fact of this change was encouraging because it indicates that change is possible and, that if one form of violence can be eliminated — ~~it can another~~.

To explore this matter further and perhaps to explain why our idea of the mere fact of the change itself being important, we can examine the sociological circumstances and implications of each of the two forms of violence — lynching and bombing.

The lynch pattern usually entailed the accusation of a Negro of a crime (usually rape) and his extra-legal execution by a mob of local white persons. These people, with little or no resistance from law officers and with little attempt to disguise themselves, their voices or their cars, would take the victim from the jail to a secluded spot and hang, shoot or burn him — or all three.

The mob members would then go home to dinner or else to the town's general store to discuss the matter. The subsequent investigation, if any, would fail to disclose anyone who could be identified as a member of the ~~mob~~.

This pattern persisted for many years. The crimes usually occurred in small communities. It does, then, stand to reason that during this period, some mob members should have been positively identified and punished.

The fact that no one was identified implies, then, community approval of the mob action. The non-participating members of the community evidently approved the mobsters' actions and would not expose them to prosecution.

The pattern has changed. Now, we have bombings. We have small groups of persons, working under cover of darkness, covertly placing bombs near their victims' homes and speeding away.

They do not make a brazen, open show of their actions. They do not expose themselves to public scrutiny. They do not publicly boast of their exploits later on.

This pattern, then, implies that the new mobsters are not certain of community approval — they do not have the assurance that they won't be turned over to the authorities for prosecution.

The change in violence patterns, then, seems to be indicative of a change in community attitude. Small Southern communities no longer seem to approve and support acts of violence against Negroes and other minority groups.

This change in attitude will eventually cause a greater decrease in racial violence and may, if nurtured, cause a wholesale elimination of it.

## Good News From Tuskegee

In its 1952 report to the nation on lynchings and other forms of mob violence, Tuskegee Institute revealed that there were no lynchings reported during the year. This is the first time during its 70 years of making this annual report that no lynchings were recorded.

Other forms of violence — bombings, killings by policemen, etc. — did not show such a marked decrease. In fact, during the past four years, there have been 68 cases of bombing or attempted bombing alone. Two-thirds of these bombings have victimized Negroes.

Regardless of how one might quibble about the decrease of one particular type of violence and the increase of another, this change is definitely encouraging. It is encouraging primarily because it IS change — that implies a defeat of at least one established pattern of lawlessness.

As long, then, as the lynching pattern can be defeated, so can the patterns of bombings and police violence. Race violence is fighting a losing battle, despite its shifts in strategy and progress-delaying actions.

The sentencing of Klansmen, their unmasking by state government decrees, FBI investigation of violence — all these have contributed to the decline of terrorism and brutality.

What has been more basic to the elimination of these evils has, perhaps, been the greater voting participation of Negroes on both the local and national levels. Neither sheriffs nor senators can now afford to maintain a "do-nothing" attitude toward racial evils existing within their precincts.

Even more than international criticism, the politician fears political suicide. Repeated testimony that race-prejudice in the United States was hampering our foreign relations has had little discernable effect upon our politicians. Yet, the knowledge that there are in any one particular Negro community some 20,000 new voters is enough to stir any politician to a change of attitude.

With growing numbers of Negro voters insisting on the equal protection of the laws, the yearly report on racial or religious violence should go out of existence altogether.

## Good News From Tuskegee

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**LYNCHING IS NOT DEAD**  
Contrary to some popular opinion, the fight against lynching is by no means at an end. In recent years, murder by rope and flogging — reduced by the spotlight of shame cast upon it by the NAACP — has given way to other forms of violence. Bombings, floggings, and shootings have gone unpunished in many sections of the country. The NAACP sees not only a strong federal anti-lynching law, but also safeguards against police brutality, unconstitutional arrests, and other deprivations of civil liberties.

8490

## FARMER GIVES UP IN KILLING OF TWO

'Bootlegger' Whisked Away  
to Avoid Violence

JASPER, Ala., Sept. 14 (UPI) — A quick-shooting farmer accused of killing two deputy sheriffs Sunday surrendered to officers while a bristling posse awaited orders to "go in and get him."

Deputy sheriff Crawford Estes said Horace Bradberry, who fled to a thickly wooded section near his farm home after the slaying of the officers Saturday, gave up and was spirited away for safekeeping.

Bradberry was described by deputy sheriff Laney Summerlin as a "notorious bootlegger."

Sheriff Charles Harbison, uncle of one of the slain men, had sent kinsmen of Bradberry into the woods to ask him to surrender without further gunplay. He was believed armed with a pistol.

### Yields Before Deadline

Estes said Bradberry gave himself up at a secluded spot and was quickly whisked away to avoid any possible violence against him.

Harbison had sent Bradberry word that unless he surrendered by 4 p. m. the heavily armed posse would move in to flush him from his ~~home~~ ~~hiding place~~.

Bradberry, 39, surrendered about 30 minutes before the deadline. Coroner Porter White said he admitted shooting deputy Frank Harbison, 27, nephew of the sheriff, and deputy Herman Treese, about 45.

The two men had gone to Bradberry's farm to search for liquor.

### Claims He Was Threatened

White said Bradberry claimed that the officers threatened him, and Harbison reached for his pistol. He said as he exchanged bullets with the younger deputy Treese began to pull his weapon, so he shot him, too.

He gave up to White and Bill Carmichael, a Walker county coal operator. White said he was unarmed, although he was reported to have carried several weapons into the woods.

Bradberry was driven immediately to the Jefferson county jail

at Birmingham. He was safely away before most members of the posse knew the manhunt was over.

The surrender took place at the South Lowell cemetery near Jasper.

Bradberry was described as a disabled World War II veteran.

## Posse Captures Negro Charged With Slaying

SATSUMA, Ala. (UPI) — A posse tracked down and captured today a fugitive Negro youth who escaped from officers yesterday in a hail of bullets after allegedly confessing to slaying a young white woman.

Sheriff W. H. Holcombe said state highway patrolmen and sheriff's deputies apprehended 18-year-old Henry Lee Brown in a swampy area about three miles from where he made his getaway.

Brown was driven immediately to Kilby Prison in Montgomery for safekeeping.

Holcombe said a railway section hand spotted Brown and called in officers who were hunting for him.

The Negro escaped yesterday while being removed from the Mobile County jail to Kilby Prison. Two escorting officers said they stopped to pick up a shotgun shell used to kill Mrs. Jesse P. Trueblood, 22, which Brown promised to point out. The prisoner was not handcuffed.

Sheriff Holcombe said Brown confessed Saturday to shooting the young mother, who had gone into a field to run hunters off her property.

8491

# Florida Fights For American Venue Change

**P. 5**  
Matron Accused Of  
Killing White Medic

LIVE OAK, Fla. — "We'll take all the time we need so this case can be tried calm-mindedly and with proper regards for everybody's rights," Circuit Judge H. W. Adams said Thursday during a hearing on the plea of Mrs. Ruby McCollum, 34, for a change in the site of her trial.

Mrs. McCollum, charged with the Aug. 3 pistol slaying of Dr. C. Leroy Adams, white physician here, was whisked away from her cell at Raiford state prison for the brief hearing. She was returned there just as hurriedly. She was carried there after the killing to escape mob violence.

A. K. Black, state's attorney, opposed the move to change the site of the trial from this county and asked time to present evidence that a fair and impartial trial can be had in Suwanee county. Judge Adams gave him a week. John L. Cogdill (of Jacksonville) is Mrs. McCollum's attorney.

*Sept. 15 - 52*  
~~Says~~ Killing Was No Murder

The housewife, who pleaded innocent to the murder charge, admits that she shot the physician to death in his office, but so far has given no reason for her act. However, several patients contend they heard a violent argument between the two prior to the shooting.

Police say the slaying was the result of a difference over the amount of a medical bill, but other reasons have been advanced in some quarters. There also are indications that the 13-month-old child of the defendant may play an important role in the trial.

During last week's hearing Mrs. McCollum sat most of the time with a hand clasped tightly over closed eyes. Her husband had been buried shortly after her arrest, he having died of a heart attack after fleeing this town to escape the wrath of an angry mob.

# Governor Asked To Investigate

*Journalism  
Guide*  
Justifiable p. 3  
Homicide Verdict  
Called "Speedy"

*Norfolk Va.*

NEW YORK — The National Association for the Advancement of Colored People this week asked Governor Fuller Warren of Florida to investigate the shooting and killing of James Sullivan by a deputized posse in a Florida swamp on August 23.

Referring to newspaper accounts in which Sullivan was described as a suspected rapist, Thurgood Marshall, NAACP special counsel, indicated in a wire to Gov. Warren that the "only identification of Sullivan yet reported is that alleged rapist wore straw hat and Sullivan wore straw hat."

MR. MARSHALL called the coroner's jury verdict of justifiable homicide "excessively speedy" and urged the Florida governor to have his office conduct an independent investigation to determine whether the killing was justified or whether Sullivan was a "murder victim under the guise of lawful police action."

In the meantime, the NAACP has initiated its own probe of the situation through the Rev. V. E. Hilsman of Dothan, Ala., which is about 35 miles from Chipley, Fla., scene of the shooting. Thus far Rev. Mr. Hilsman has been able to ascertain that James Sullivan was an alias and that the dead man previously went by the name of James Couch, also an alias.

Persons in the area told the NAACP investigator that the man had a "bad reputation" and that he was heard to say in

Chipley that he "would not be taken alive." It was not determined whether he or a member of the 25 man posse fired the first shot.

MRS. RUBY Hurley, Southeast regional secretary of the NAACP in Birmingham, Ala., said that the Association is still investigating.

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# NAACP Asks Probe Off Fla. Posse Killing

*Open American P-5*

## Say Lynch Victim 'Confessed'; Boy, 17, Held For Same Attack

NEW YORK, Aug. 28 — The National Association for the Advancement of Colored People this week asked Gov. Fuller Warren of Florida to investigate the shooting and killing of James Sullivan by a deputized posse in a Florida swamp on Aug. 23.

Referring to newspaper accounts in which Sullivan was described as a suspected criminal attacker, Thurgood Marshall, NAACP special counsel, indicated in a wire to Governor Warren that the only identification of Sullivan yet reported is that alleged assailant wore a straw hat and Sullivan wore a straw hat.

Mr. Marshall called the coroner's jury verdict of justifiable homicide "excessively speedy."

### NAACP Opens Probe

In the meantime, the NAACP has initiated its own probe of the situation through the Rev. V. E. Hiltman of Dothan, Ala. Thus far Mr. Hiltman has been able to ascertain that James Sullivan was an alias and that the dead man seriously went by the name of James Couch, also an alias.

Mrs. Ruby Hurley, Southeast regional secretary of the NAACP in Birmingham, said that the association is still investigating.

Meantime, a West Florida county coroner's jury returned a verdict of justifiable homicide Friday

in the killing of Sullivan, 35, by Chipley Police Chief F. J. Jones and Deputy Sheriff Howard Roche. He died in a hospital.

### Alleged Victim's Name Withheld

Sheriff Dan Brock said a hysterical white housewife reported she was assaulted in her bedroom about 2 a.m. by a colored man who chloroformed her husband and robbed him. Medical examination showed later that it was a case of attempted assault, the sheriff said.

Names of the woman and her husband were withheld.

The jury finding said the shooting of Sullivan was justified on

the basis of testimony that the alleged assailant opened fire on Roche and Jones first with a small caliber pistol. Neither was struck.

The shooting took place in a swamp near the Washington-Jackson County line, where Sullivan is said to have been trailed by state prison bloodhounds.

Jones said he asked Sullivan about a reported assault on a woman at Tallahassee last Thursday but he denied knowledge of any such attack.

Youth Held For Same Crime

Jackson County Sheriff Ernest Barnes said Sullivan on his death bed confessed to attacking the Tallahassee woman and to a series of house burglaries in Malone and Chipley.

(Tuesday in Tallahassee Sheriff Frank Stoutamire of Leon County there, filed charges of the Tallahassee criminal assault to a colored youth, Abraham Beard, 17, of Tallahassee, and had him rushed away to the state penitentiary at Raiford for safekeeping.

(He said he filed the charges on the basis of blood-spattered tennis shoes and other blood-stained wearing apparel said to have belonged to Beard following a conference with Tallahassee police and patrolmen.)

## NAACP Asks Fla. Probe Of Shooting By Swamp Posse

### *and Informer*

NEW YORK — The NAACP this week asked Governor Fuller Warren of Florida to investigate the shooting and killing of James Sullivan by a deputized posse in a Florida swamp on August 23.

Referring to newspaper accounts in which Sullivan was described as a suspected rapist,

## Florida

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## POSSE KILLS NEGRO IN FLORIDA SWAMP

Rape Suspect Trailed 6 Hours  
by Hounds, Then Is Shot  
to Death by 2 Officers

CHIPLEY, Fla., Aug. 23 (UP) — A posse of twenty-five officers tracked down and killed a suspected Negro rapist today after six hours of pursuit in a Florida saw-grass swamp.

Before he fell, the suspect, James Sullivan, alias James Couch, 35 years old, captured two trusty prisoners who had followed bloodhounds to his hideout and tried to bribe them to throw off the pursuers. The trustees refused and the main posse spotted Sullivan as he tried to flee deeper into the swamp.

"We hollered to him to halt but his only answer was to fire on us with a .22-caliber pistol," said Deputy Sheriff Howard Roche. "Police Chief E. J. Jones of Chipley and I then opened fire on him and he fell."

Before he died in a hospital thirty minutes later, Sullivan told the officers that he was a fugitive from a prison innear-by Baldwin County, Ala.

He was identified as the straw-hatted intruder who had robbed several homes here last night and raped a young housewife. The victims reported that the intruder had chloroformed them.

A posse of town, county and state officers, with bloodhounds from a state road camp, was or-

ganized about 2:40 A. M. The hounds quickly picked up the trail into the swamp.

Sullivan's fate was similar to that of Ernest Thomas, a suspect in the publicized Groveland, Fla., rape case of 1949. Officers found him asleep in the woods but when they woke him up he ran and was shot, the posse reported.

Two other Groveland suspects were shot last year, one fatally, by an officer who was transferring them between prisons when the Negroes allegedly attacked the officer.

8492

8493

# Retired Chicago Ex-Cop Victim of Mob Reprisal

By TED GOODMAN

*27 J 1952*  
**CHICAGO**—A man who was left for dead in a blazing fire came back last week to tell the story of his escape and to put "the finger" on members of an East Chicago Heights mob that attempted to kill him.

The miracle man is 75-year-old Henry Miles, 1642 Woodlawn Avenue, East Chicago Heights, an ex-Chicago policeman, known to the underworld as "King Pepper," a copper with many a notch on his gun and feared by violators of the law.

Miles has been in hiding and recuperating from the brutal torture he received at the hands of his assailants on Dec. 23. He took his complaint to the Chicago Civil Liberties Committee which immediately started proceedings to prosecute the participants in the crime and to expose the activities of the gang.

Miles said: "They tried to kill me because I know too much. They accused me of writing letters about houses of prostitution and other rackets they operated near my home."

He gave a vivid description of the terrifying night when three men seized him as he went to care for three St. Bernard dogs in his yard. He said they bound and beat him, then heated a poker white-hot and pushed several holes through his feet and legs in an attempt to make him tell where his money was hidden.

While this was going on, the first three men were joined by three white men in grey muskets. After finding a jar containing \$300 in silver, they carried him into the house, poured gasoline around and set it afire, leaving him to burn alive.

"Through the grace of God," Miles said, "I was able to break loose and escape through a window on an opposite side of the house from where they were watching the fire. They were so busy robbing at their dirty work, they didn't see me. I crawled to

the alley and tried to get into an empty garage, but I didn't have strength.

"I was in my underwear, which had been partially ripped off and it was freezing cold. I lay there until the men drove off, thinking that I burned to a crisp. I finally made it to a neighbor's house."

"When I was able, I hid out in a chicken shack at the back of my yard. The old house burned to the ground. Several days later someone fired several rounds of bullets through the shack. Someone must have told where I was, but by another miracle, I wasn't hit."

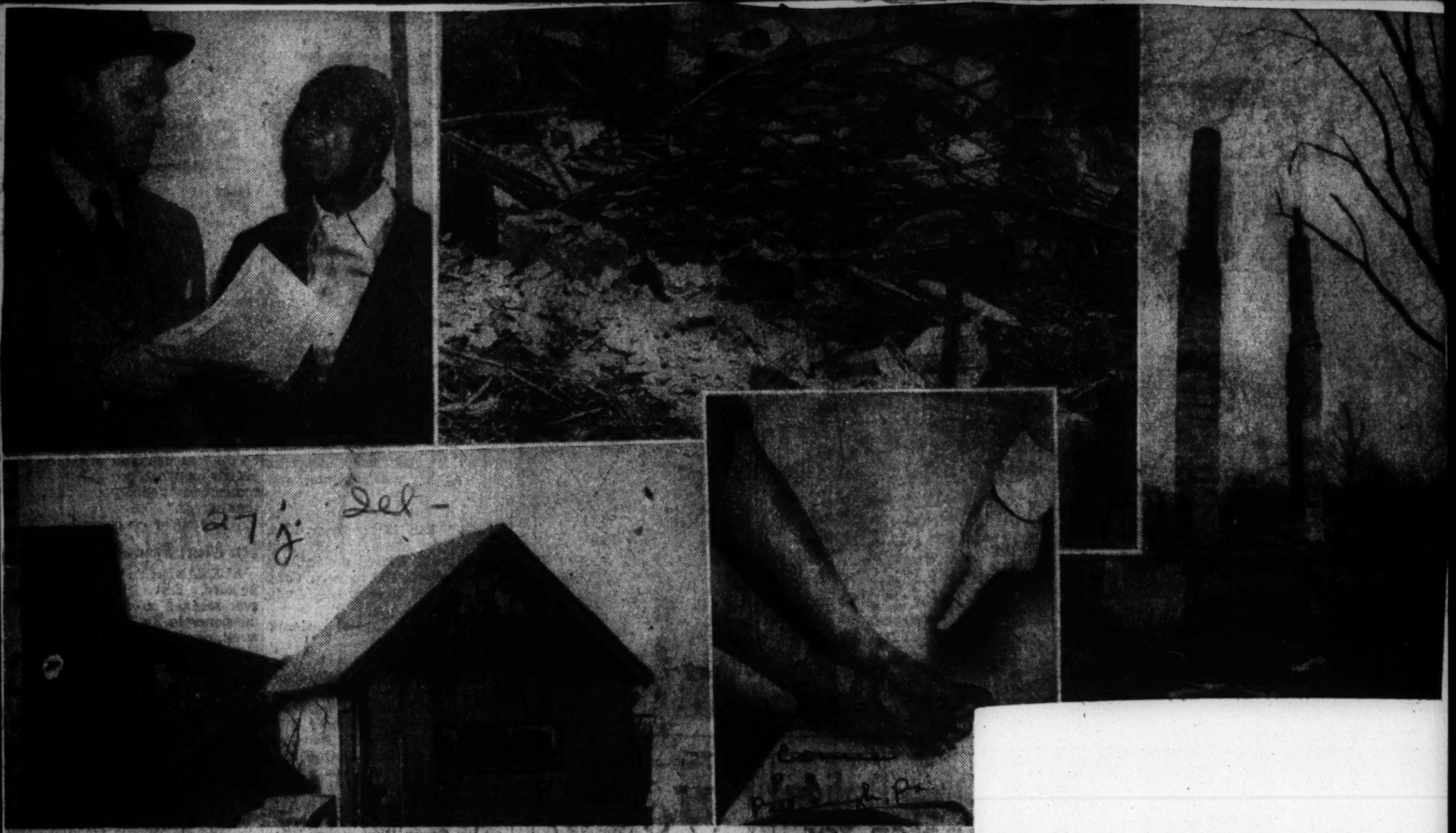
Examination of the shack revealed sixty bullet holes.

The Civil Liberties Committee is demanding a probe of Miles charges.

Atty. Howard Williams is representing the victim. He presented the case to the State's Attorney's office.

Ira Latimer of the CLC told the Courier he intends to push the case to the limit to punish the accused. A report of the incident was also presented to the FBI.

Names of a police official, a policeman and four hoodlums were given by Miles who identified them as his assailants.



**Where Terror Reigned—**The havoc shown here took place on the night of Dec. 23 when a gang mob took Retired Police-man Henry Miles, 75, tortured him with a red-hot poker, tied him in his house where he lived alone, beat him, left him for dead and then set fire to his home. He lives to tell the story. This took place in East Chicago Heights, Ill., where Miles lived since retirement from the police force some years ago. Miles said members of mob did this because he "knows

too much" on them. Shown with Miles (top left) is Ira LaFamer, director of the Chicago Civil Liberties Committee in the office of Atty. Howard Williams where he showed the torture (lower right) burns on his feet and legs. The two upright columns are all that remains of Miles' home. The wreckage (center) is the interior of the room where Miles was left for dead, and the little shack is the chicken coop where he lived following his escape from what might have been his funeral pyre.

27J 1952

Mississippi

8494

Mississippi

# Suspected Killer lain by Posse

*Courtesy P. 20*  
*P. 27 J.*  
Say Ex-Convict Had Shot White

*P. 27 J.*  
Farmer Trying to Halt Quarrel

COLUMBUS, Miss.—Robert Cobb, a 39-year-old Negro was shot and killed here last week by a posse of whites who were hunting him for allegedly slaying John A. Hardy, white plantation owner. Cobb was fleeing across a field when he reportedly turned and fired twice at the posse. He was known to be a fugitive.

There were about eight men in the group which shot Cobb down, Deputy Sheriff Tom Glover said, although the entire posse was composed of 100 men. They had planned but to search an area several miles square in which Cobb was thought to be hiding. All had been sworn in as deputies.

Cobb allegedly shot Hardy when the white man tried to stop a quarrel between Cobb and Hardy's Negro cook. The cook told officers that Cobb, an ex-convict, had been at the house and had told her after the shooting that he would never be taken alive.

When Cobb started running from a patch of woods across a clearing, the posse called on him to halt. Instead, they said, he turned and fired two shots. The posse opened fire. Cobb was slain on the spot.

Included in the posse, according to reports, were several Negroes. Thirty-eight patrol cars of Mississippi State Police and Lowndes County Sheriff Charles E. Farmer led the hunt. The widow of the slain farmer, incidentally, pleaded with the posse not to shoot Cobb "except in self defense."

# Barefoot Man Shot By Mississippi Posse

*27 J.*  
COLUMBUS, Miss. (ANP)—The name of another Negro last week was added to the long list of persons shot down by posses in Mississippi.

The latest victim was Robert Lee (Bo) Cobb, 32, farmer, shot down while he was running barefooted from the assailants. He was accused of killing J. Allison Hardy, prominent white plan-

A posse with a few Negroes sprinkled in, led by 38 patrol cars of Mississippi State police and Sheriff Charles E. Farmer of Lowndes County, blasted a tired, bleeding, bedraggled Cobb to death after more than 16 hours of search in nasty, sloppy, drizzly weather.

Mrs. Hardy, widow of the plantation owner, had pleaded with the mob not to shoot the accused slayer of her husband "except in self-defense."

Sheriff Farmer said that 15 white men with him shot Cobb down after he pulled his gun and shot four times. The sheriff said they had warned the Negro to give up if he wanted to save his life.

Included in the posse of hundreds were deputies, policemen, and citizens of both races plus bloodhounds. The searchers were incited to go on with the hunt despite the rain and snow because of Sheriff Farmer's picture of Cobb. The sheriff said:

"Cobb had been giving officers trouble in recent months. Negroes around here considered him mean. He caused some trouble on the plantation about a week ago, and Mr. Hadley called my office. Cobb disappeared before officers arrived."

Here is the white people's version of how Cobb is supposed to have shot Hardy, according to the sheriff:

It was after midnight and the white plantation owner heard noise among the Negroes. He went back to "investigate." He was shot down and killed by one shot when he approached the Cobb home.

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**Posse Slays  
Miss. Killer  
Of Planter**

COLUMBUS, Miss., Feb. 26—(P.)

A Negro gunman who killed a prominent north Mississippi planter was killed Tuesday in an exchange of gunfire with a heavily armed posse of authorities and volunteers.

Lowndes County Sheriff Charles E. Farmer said that the Negro identified as 32-year-old Robert Lee (Bo) Cobb, was asked to "surrender."

**SHOT DEAD**

"Instead, the Negro fired at his pursuers and was shot dead," Farmer said.

Cobb had been the object of a widespread search since 1 a. m. (CST) when he fatally wounded J. Allison Hardy, 62-year-old planter and a director of the New Orleans Federal Land Bank.

Hardy had gone to a nearby tenant cabin on his plantation to investigate "loud talking." As he approached the cabin, Cobb pushed open the door and fired point blank at Hardy, who died four hours later in a hospital.

Cobb had escaped into the woods while authorities put out an urgent call for citizen volunteers, who with state highway patrolmen, had stopped automobiles, busses and even trains during an exhaustive effort to see that the Negro didn't escape the area.

**FLUSHED**

Shortly after 3 p. m., with the help of two bloodhounds, Cobb was "flushed" out of hiding in the nearby Billups settlement, some three miles from the Hardy plantation.

Cobb was barefoot. The sheriff said that the Negro was in full view, and someone in the posse shouted for him to "surrender."

Instead, Farmer said that Cobb fired "about four shots," all going

at the posse. Instantly a

**Miss. Farmer Shot To  
Death By Law Officers**

By JOHN LEFLORE

LAWRENCE, Miss. — Tobe Faulkner, 65-year-old tenant farmer, was killed instantly by some 35 highway patrolmen and other officers Wednesday, when his body was riddled with bullets by the small army representing "the law."

G. E. James of Newton, State highway patrolman, and Curtis L. Stevens, from whom Faulkner rented land, were wounded allegedly by the aged man.

A dispute arose between Faulkner and Stevens over cattle, when the white landowner attempted to seize some of the tenant farmer's cows, witnesses said.

**Stevens Shot In Scuffle**

Stevens, armed, was said to have gone to Faulkner's cabin Wednesday to take the cattle by force. In a scuffle with Faulkner, the white man was shot under the collarbone, probably with his own gun.

W. B. Hughes, Meridian, State highway patrol inspector, said that shortly afterwards two of his patrolmen, James and A. B. Marlar of Newton, along with County Sheriff H. E. Reeves and two deputies, went to Faulkner's home to place him under arrest.

Apparently terror-stricken, Faulkner was said to have fired on the group when, with guns drawn, they shouted "Come on out of there old n---r, before we break the d--- door down and come in there and drag you out."

**Gets Finger Shot Off**

James had a left finger shot off and was wounded in the shoulder.

Following the second incident, about 30 more highway patrolmen and county and local law enforcement officers reinforced those already on the scene.

They surrounded Faulkner's house and said they used tear gas in an effort to drive him out, but he refused to come out. When he answered the tear gas bombs with a shot, the officers said, they opened fire.

Faulkner's body, riddled like a sieve, was found inside the tiny three-room shanty.

**NEGRO CITIZENS IN THREE COUNTIES  
TERRORIZED AS HUGE CROWDS JOIN  
OFFICERS IN NEGRO SLAYINGS IN THE STATE  
FOR SECOND TIME IN LESS THAN ONE WEEK**

**See Incidents Labelled As Lynching  
In Coming Tuskegee Report**

Jackson, Miss., Feb. 25—(DSN)—The events and spirit of the observance of Brotherhood week in Mississippi were marred, as Negro

citizens in three counties were terrorized, as they were reported, "crying in fear" in their homes as huge crowds joined law enforcement officers in the slaying of two Negro men in the state within a period of less than a week.

Last Wednesday during the high period of Brotherhood week, the little town of Lawrence in Newton County had its population of 100

swelled to more than 1000 as white folks came from all sections of Scott and Newton Counties to join law enforcement officers, including State Highway Patrolmen, and "Pour a steady barrage of fire and tear gas bombs, for a period of several hours into his home in the slaying of Tobe Faulkner, 65-year-old Negro tenant farmer."

According to reports the white man was shot through the head and killed instantly shortly after midnight, Monday at the home of Cobb, where according to reports he had gone to settle an argument between Cobb and his wife who was the cook in the Hardy home.

**Murder Suspect Slain  
By Mississippi Posse**

Columbus, Miss., Feb. 26 (P.)—Robert Cobb, 30, Negro wanted in the slaying of a white plantation owner, was slain by a posse today.

The Mississippi Highway Patrol said the posse spotted Cobb near Billups, Miss., and shot him when he went for his gun.

Cobb was wanted in the death of John Allison Hardy, 62, a planter shot at his home near

here early today while attempting to settle an argument at his cook's house.

# Posse Slays Negro Hunted For Killing Columbus Planter

## J. A. HARDY IS VICTIM

Prominent Plantation Owner  
Murdered When He Calls  
At Tenant House

(Pictures on Section Page)

By RACHEL SCHUTE

Special to The Commercial Appeal

COLUMBUS, Miss., Feb. 26.—A determined posse of several hundred citizens and officers Tuesday afternoon tracked down and killed a barefooted Negro accused of killing J. Allison Hardy, prominent Columbus planter.

Killed by a volley fired by the posse was Robert Lee (Bo) Cobb, 32-year-old Negro farmer, described as a "mean and vicious character" by Sheriff Charles E. Farmer of Lowndes County.

Mr. Hardy, wealthy 62-year-old civic leader and director of the New Orleans Federal Land Bank, was slain when he attempted to investigate a disturbance on his large plantation about 1 a.m., Tuesday.

Mr. Hardy was shot in the forehead and died at 4:30 a.m. in a Columbus hospital. He did not regain consciousness.

Sheriff Farmer spread the alarm and the posse gathered at the Hardy home with bloodhounds and began the search at 7 a.m.

For more than five hours the posse failed to uncover a lead—then about 1 p.m., a group of 50 men noticed smoke coming from an abandoned building on the old county farm. They found a fresh fire. The pace quickened as the posse began a thorough search of the area around the building.

### Saw Him In Field

About a mile from the abandoned house, the posse saw a figure move across a field from a clump of bushes about a quarter of a mile away. It was Cobb.

Sheriff Farmer said Cobb refused warnings to surrender. He said the Negro fired four shots.

The 15 men with the sheriff opened fire and Cobb staggered a few feet and fell dead.

Cobb was wearing overalls and a blue denim shirt, ripped to shreds in his flight. The bottoms of his feet were cut and bruised.

band was slain. She was the former Miss Genie Steele.

### A Civic Leader

Mr. Hardy was a member of the Boston Club of New Orleans, and an elder in the Bethel Presbyterian Church; president of the Co-operative Dairies in Columbus; member of the State Production and Marketing Association, and chairman of the Lowndes County Soil Conservation District.

In addition to his wife and son, J. A. Hardy Jr., Mr. Hardy leaves two daughters, Mrs. William Roseborough Jr. of Senatobia, Miss., and Mrs. Mike Blouin of Greenwood, Miss.; two brothers, Eugene Hardy and Edward Hardy of Columbus, and two sisters, Mrs. W. A. Evans of Muldon, Miss., and Mrs. E. B. Martin of McComb.

Sheriff Farmer and other officers gave this account of the murder of Mr. Hardy:

About midnight, Mr. Hardy heard a disturbance at one of the tenant houses on his plantation. He and his son, Jack Hardy, went from the plantation home to the house where the Hardy cook, Lula Mae Cobb, lived. She was Cobb's common-law wife.

As they neared the house in a truck, they flashed their lights on it. The elder Mr. Hardy circled to the back of the house as the Negro cook came out the front door. About that time Jack Hardy said he heard a shot at the rear.

Finds Father On Ground

Jumping from the truck, he hurried around the house calling his father. Receiving no reply, he said he thought Mr. Hardy was just keeping quiet. Then he suddenly came upon his father on the ground. He had a bullet wound in the forehead. His pistol was in his pocket.

Lula Mae told Jack Hardy that Cobb shot Mr. Hardy and she said Cobb told her, "I'll never be taken alive."

Mr. Hardy was taken to the Columbus Hospital, where he died at 4:30 a.m.

Services for Mr. Hardy will be held at 2 Wednesday afternoon at Bethel Presbyterian Church, where the Hardy family has worshipped for the past century. Dr. Horace Villee will officiate and burial will be in Friendship Cemetery with Gunter Funeral Home in charge.

Mr. Hardy was a member of a large and prominent Lowndes County family. He was the son of the late Mr. and Mrs. Edward G. Hardy and the grandson of John Allison of Mount Sterling, N. C.

He was born in Lowndes County and was graduated from the University of Mississippi in the class of 1912. He was a member of Delta Tau Delta Fraternity and served with the Air Corps in World War I.

Mrs. Hardy, was a former national officer in the American Legion Auxiliary and a leader in state wide civic and charitable organizations. She was named the "Woman of the Year" in Mississippi in 1950. She was visiting a daughter in Greenwood, Miss., when her hus-

## Posse Composed Of Sheriffs, Officers And State Highwaymen

COLUMBUS, Miss. — (SNS) — A heavily armed posse of Mississippians, shot and killed Robert Lee (Bo) Cobb, 32, Negro, here early Tuesday in an exchange of gunfire, according to Lowndes County Sheriff Charles E. Farmer.

The posse, composed of sheriffs' officers, state highway patrolmen and armed citizens.

### WIDESPREAD SEARCH

Sheriff Farmer, in describing the killing of Cobb, said that Cobb had been the object of a widespread search since 1:30 a.m. Tuesday morning when he failed to have shot and fatally wounded J. Allison Hardy, 62, a prominent north Mississippi white farmer and director of the New Orleans Federal Land Bank. Hardy is reported to have gone to a nearby tenant cabin on his plantation to investigate "loud talking," and was fired upon point blank by Cobb as he approached the cabin.

After the shooting, Cobb is reported to have escaped into the woods while authorities put out an urgent call for volunteers to aid them in the search.

### STOPPED BUSES, TRAINS

State Highway Patrolmen are reported to have stopped automobiles, buses and even trains in their exhaustive efforts to see that Cobb did not escape the area.

About 2:00 p. m. Tuesday, with the aid of bloodhounds, Cobb was spotted some three miles away from the Hardy plantation in a settlement near Billups. The Sheriff said that Cobb was ordered to surrender by someone in the posse, but instead of obeying the order, "fired about four shots" all going wild.

He said that a burst of fire from weapons in the hands of the posse instantly killed Cobb.

Mrs. Hardy, widow of the plantation owner, had pleaded with the mob not to shoot the accused slayer of her husband "except in self defense."

## INTRARACIAL POSSE SHOOTS DOWN BAREFOOT NEGRO IN MISSISSIPPI ACCUSED OF KILLING WHITE MAN

Armed Men Ignore Plea of Widow Not to Kill Man Except in Self Defense

MAN HUNTERS RELENTLESS IN RAIN AND SNOW

COLUMBUS, Miss. — (ANP) — The name of another Negro last week was added to the long list of persons shot down by posses in Mississippi.

The latest victim was Robert Lee (Bo) Cobb, 32, farmer shot down while he was running barefooted from the assailants. He was accused of killing J. Allison Hardy, prominent white plantation owner.

Sheriff Farmer said that 15 white men with him shot Cobb down after he pulled his own gun and shot four times. The sheriff said they had warned the Negro to give up if he wanted to save his life.

Included in the posse of hundreds were deputies, policemen, and citizens of both races plus bloodhounds.

8488

## Of State Peace Officer Is Charged With Murder

CLEVELAND, Miss., April 20.—A 30-year-old Negro held in the fatal knifing Saturday night of Marshal J. W. Morgan of Dodds-ville has been charged with mur-  
der.

The Negro, shot by the fatally-wounded marshal before he died was captured Sunday morning in swamps near the Sunflower river, and remained in a critical condition at an Indianola hospital Mon-  
day.

The Negro was identified as state Highway Patrolman T. G. Sadler, Jr., who made the arrest of Charley Coleman. Coleman was struck by a .38 calibre bullet fired by Marshal Morgan who a few seconds earlier had had his throat slashed by a knife wielded by the Negro.

Sheriff Van Long filed the charges against Coleman at Indianola.

According to witnesses, Marshal Morgan was knifed shortly before midnight Saturday when he attempted to talk to the Negro. Sadler said the man had been drinking raw corn (whiskey) most of Saturday afternoon and that the marshal had warned him to either go home or get out of town.

Sadler said that Morgan was slain when he again saw Coleman on the street Saturday night and stopped and began talking to him. The Negro suddenly pulled out a pocket knife and attacked the marshal, Sadler said, but Morgan was able to fire his gun before he died, the bullet striking Coleman near the left eye and ripping through to the ear.

Though wounded, Sadler said the Negro fled. A posse was hastily organized and the man was found wandering in the swamps about 10 a. m. Sunday. He was quite weak from loss of blood and offered no resistance.

He leaves his wife, a son, Jim

Morgan of Greenwood; a daughter, Mrs. Ford Forbes of Green-  
wood; a brother, Sat Morgan, Sunflower and a sister, Mrs. Ernest Holmes of Winona.

## Posse Seizes Negro For Delta Slaying

Dodds-ville Marshal Is Fatally  
Stabbed While Talking

To Him On Street

By BILL LANG

CLEVELAND, Miss., April 20.—The Mississippi Highway Patrol Sunday morning captured a 30-year-old Negro in the swamps of nearby Sunflower River 11 hours after he had stabbed and killed J. W. Morgan, 62, marshal of Dodds-ville.

Patrolman T. G. Sadler Jr., who took the Negro into custody, identified him as Charley Coleman. The capture came after a widespread manhunt in this area by members of the Highway Patrol and other peace officers.

**Held In Undisclosed Jail**

The Negro, apprehended at 10 a. m., was whisked away to an undisclosed jail for safe keeping.

Mr. Morgan, who had been marshal at Dodds-ville, 15 miles southeast of here, for the past 18 years, was stabbed in the throat at 11 Saturday night on the streets of town. Before he died, he shot and wounded the Negro.

Officers said the Negro had been drinking most of Saturday afternoon and Marshal Morgan warned him several times during the afternoon to either go home or get out of town.

Saturday night the marshal again saw the Negro in Dodds-ville and went up to talk to him. It was then that the Negro pulled out a pocket knife and stabbed Mr. Morgan in the throat.

As the marshal fell, he pulled out his gun and shot the Negro in the eye.

**Trail Led To Swamps**

A posse was formed quickly and the Negro was trailed for several miles. The trail led to the Sunflower River swamps and it is believed he spent Saturday night wandering around in the swamps.

The Highway Patrol and other officers surrounded the area Sun-

day morning and continued the search. About 10 a. m. Patrolman Sadler sighted Coleman and took him into custody.

Mr. Morgan had lived in Dodds-ville for 27 years.

Services will be at 10 Monday morning at the Dodds-ville Methodist Church with the Rev. G. H. Ledbetter officiating. Burial will be in the Drew Cemetery.

He leaves his wife; a son, Jim Morgan of Greenwood; a daughter, Mrs. Ford Forbes of Green-  
wood; a brother, Sat Morgan of Sunflower and a sister, Mrs. Ernest Holmes of Winona.

## Miss. Mob Of 400 Kills Barefoot Man

P. COLUMBIA, Miss., April 20.—An angry mob of 400 white men, following

seven baying bloodhounds, surrounded a 39-year-old colored man here last Tuesday and shot him to death as he fled across a field.

The man who was slain was Robert Cobb, 39, who police said was sought by the mob in connection with the slaying the previous midnight of J. Allison Hardy, 62-year-old white planter.

The killing of Cobb climaxed one of the largest manhunts ever held in this part of the country, with the posse composed not only of deputies but of all able-bodied white plantation men who could carry guns.

### Never Had A Chance

Cobb was not given a chance to live as highways were blocked off over a 50-mile radius and the 400 man mob broke up into smaller search parties of from 6 to 12 men each and combed a 15-mile area for the fugitive.

The Highway Patrol reported that Cobb attempted to draw his revolver when mobsters called upon him to stop, but was killed before he could fire.

Hardy, the plantation owner who was killed, according to his son, was slain when he attempted to enter the cabin of his colored cook some 50 yards from his home.

### Shot At Cook's Cabin

The son said his father heard loud talking at the cabin around midnight and went over to investigate. Authorities stated that as Hardy stepped onto the porch of the cabin, a colored man thought to be Cobb pushed open the door and began firing.

The son found his father critically wounded on the porch. He succumbed at the hospital less than four hours later.

Local authorities put out an urgent call for volunteers to track down Cobb, who fled into the woods and hundreds of angry white men gathered before dawn and began their search which led to Cobb's slaying.

**Cover Up Killing**

According to Deputy Sheriff Tom Glover, Cobb was shot after he fired at the mobsters "at least two times," but Highway Patrolmen told reporters that the victim had not even been able to draw his revolver.

Another deputy later reported that the cook with whom Cobb allegedly had been quarreling told him that he man had declared that he would never be taken alive.

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The posse, composed of sheriffs' officers, state highway patrolmen and armed citizens.

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After the shooting, Cobb is reported to have escaped into the woods while authorities put out an urgent call for volunteers to aid them in the search.

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State Highway Patrolmen are reported to have stopped automobiles, buses and even trains in their exhaustive efforts to see that Cobb did not escape the area.

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He said that a burst of fire from weapons in the hands of the posse instantaneously killed Cobb.

## Posse Kills Man

### Sought in Slaying.

COLUMBUS, Miss., Feb. 27.—A posse hunting the slayer of a white plantation owner shot and killed a 39-year-old ex-convict near this Northeast Mississippi town.

Sheriff's Deputy Tom Glover said Robert Cobb, colored, was shot down as he fired at a group of about eight posse members while he fled a field yesterday. The field was 4 miles west of the plantation where John Allison Hardy, Jr., was killed early Tuesday afternoon.

Mr. Hardy, prominent in New

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27j 1952

Nebraska

8496



**THEIR MAN CORNERED**—Merriman, Nebr.—With their weapons cocked and ready, officers and possemen close in on this shed on a ranch southwest of here, where they cornered Blaine Ellis, accused of killing three persons and wounding two others at another ranch. The accused murderer was fatally wounded in an exchange of gunfire. A building in the background was set afire.

—AP Wirephoto.

## Nebraska Posse Kills Slayer of 3 Neighbors Cornered in Shed

By the Associated Press

MERRIMAN, Nebr., Mar. 28.—Grim Nebraska ranchers avenged the killing of three neighbors yesterday by cornering the gunman in a shed and firing bullet after bullet until the triple-slayer cried out: **PAS** "I'm through, come and get me!"

The posse poured into the building and dragged out Blaine Ellis, 22, still clutching his shotgun.

Mortally wounded, Ellis gasped out the phrases, "They bawled me out" and, "Just the meanness in

me." Officers said it was the dying man's admission that he killed Mr. and Mrs. George Mensinger and a neighbor, Leo Gardner, yesterday.

The posse opened fire after Ellis raised his gun.

### Baby Is Wounded.

Mr. Mensinger, 28, was the operator of a 3,000-acre ranch 5 miles south of Merriman. He was killed yesterday by a shotgun blast through the doorway of his home. His wife, Elaine, 24, was wounded but reached a telephone and gave the alarm. Another shot killed her and wounded her 10-month-old baby.

Mr. Gardner, 50, and another neighbor, Cliff McDonald, had started for the Mensinger ranch when they met the assailant.

Ellis was flown to Valentine, Nebr., but died before he could be hospitalized.

Mr. Gardner was killed by a pistol shot, and Mr. McDonald wounded by a shotgun blast.

Ranchers and townspeople combed the almost roadless sandhills with planes, jeeps, cars and horses. A posse of more than 100 cornered Ellis in a shed on a ranch about six miles from Mr. Mensinger's place.

### Shed Explodes.

When Ellis called out that he had had enough, ranchers swarmed in to find him lying on his back, wounded, with a shotgun across his chest.

Two nearby buildings and an oil drum were aflame as Ellis was dragged into the farm yard. Moments later, the shed where he had been exploded.

27 J 1952

Tennessee

8489

Corner Slaying Suspect

# Posse of 5,000 In Tenn. Manhunt

ALCOA, Tenn.—An ex-convict was spirited to a secret hearing Monday on charges of killing an Alcoa policeman and then was taken to the Knox County jail in Knoxville to insure against violence.

Slender 27-year-old Mitchell Jack McKinney was taken under heavy guard from the jail at Knoxville to the home of sessions Judge Will McTen near Rockford for the hearing.

*Courier*  
~~HE WAIVED~~ the hearing and was ordered held without bond for the December term of the Blount County grand jury on charges of slaying Policeman Fred Guffey, 33, with the officer's own gun on a downtown street corner in midmorning Sunday.

The hearing was carried out in secret because of large crowds which collected after the arrest. An estimated 5,000 civilians joined police who combed the area for the man before he was found.

The man hunt ended with McKinney's capture late Sunday in the basement of a Presbyterian church a block from the scene of the shooting. 9-15-52

**BLOUNT COUNTY** Sheriff W. B. Stinnet said McKinney had confessed the murder and had surrendered the revolver which he wrested from Guffey when the officer tried to arrest him for possessing whisky. The county is dry.



Mitchell J. McKinney  
... Secure from mob!